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MEMOIRS

OF

THE REIGN OF

GEORGE III.

TO

THE SESSION OF PARLIAMENT

ENDING A. D. 1793.

BY W. BELSHAM.

VOL. I.

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1795.

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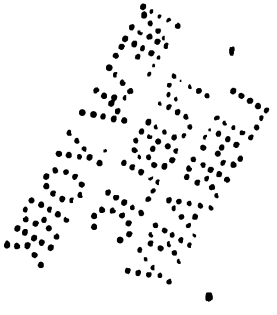

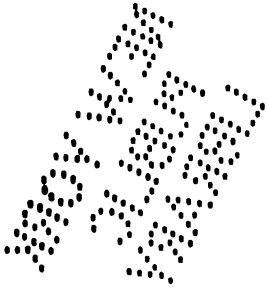

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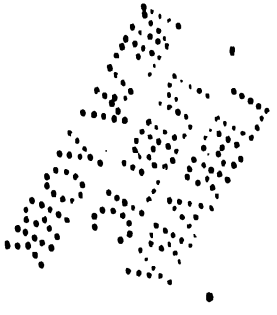

HISTORY

OF

GREAT BRITAIN.

GEORGE III.

BOOK XIII.

Accession of King George III. Auspicious Aspect of Affairs. Elevation of the Earl of Bute. First Session of Parliament —Memorable Speech from the Throne. Enormous Supplies. Commissions of the Judges made permanent. Resignation of the Speaker, Mr. Onslow. Dismission of Mr. Legge. Resignation of Lord Holderness—Succeeded by the Earl of Bute. State of Parties. Commotions excited by the Militia Act. Marriage of the King. Dominique captured. Belleisle captured. Ineffectual Negotiation for Peace. Resignation of Mr. Pitt. Rupture with Spain. Session of Parliament— Sir John Cust chosen Speaker. Martinico captured. War declared by Spain against Portugal. Military Operations in that Kingdom. Havannah conquered. Manilla taken. Earl of Bute First Minister. Resignation of the Duke of Newcastle. Birth of the Prince of Wales. Peace signed at Fontainebleau. Cider Tax. Resignation of Lord Bute—Suc-

ceeded by Mr. George Grenville. Prosecution of Mr. Wilkes. Project for taxing America. State of Europe. Demise of the Pretender.

BOOK XIII.

1760. Accession of king George III.

IN tracing the long series of royal descents which has taken place in this island since the foundation of the English monarchy, it will be difficult, perhaps impossible, to name any prince who has succeeded to the crown under circumstances of greater and more signal advantage than the present sovereign. At the head of a firm, vigilant, and popular administration was placed a minister illustrious by the splendor of his talents and the magnanimity of his conduct; under whose superior ascendent, party spirit and parliamentary opposition *seemed* extinguished. Great Britain, in conjunction with her numerous colonies and dependencies, exhibited to the world a grand political association, actuated by one common interest, and united, amidst a thousand subordinate diversities of opinion, in the sacred bonds of duty and affection. That fatal predilection for the claims of the exiled house of Stuart, formerly so prevalent, and which had rendered the task of government so difficult in the preceding reigns, was now no more. Notwithstanding the long continuance of a foreign war, the most complicated and extensive in which Great Britain had ever been engaged, the internal state of the kingdom was not only perfectly tranquil,

Auspicious aspect of affairs.

but in the highest degree flourishing and prosperous. The vast increase of commerce and manufactures enabled her to support the immense expence incurred in the prosecution of it, with a facility and even an alacrity altogether unprecedented and astonishing; and her more recent operations had in every part of the globe been attended with the most brilliant and fascinating success. As to the new monarch himself, though his character was far from being as yet perfectly developed, a very strong and apparently just partiality predominated in his favor. During the late reign he had uniformly abstained from all public interference in the affairs of government. His manners were in the highest degree decorous, his morals unblemished, and his personal accomplishments corresponded with the elevation of his rank and station. All appearances seemed to augur a reign of uninterrupted glory and felicity; and the regret which the nation for a moment felt at the sudden demise of the good old king, was immediately absorbed in the transports of joy excited by the auspicious commencement of the reign of the young monarch, who had very lately attained the age of complete majority; being born June 4, 1738. BOOK XIII. 1760.

It must however be acknowledged, that certain circumstances existed, which, in the minds of persons of deeper reflection, occasioned suspicions and apprehensions not perfectly according with

BOOK XIII. 1760.

the feelings of the national enthusiasm. Throughout almost the whole course of the late reign, the prince of Wales, father of the present king, from various causes of jealousy and discontent too easily arising from the doubtful and difficult situation of an heir apparent, had been in direct and avowed opposition to the court. So far as the means of judging are afforded us, the prince in his general system of policy seems to have been distinguished by the rectitude of his intention, the generosity and ingenuousness of his conduct. He was desirous to govern the English nation upon maxims truly English, and was fired with the noble ambition of realizing in his own person, that grand and perfect model of A PATRIOT KING, delineated by the happiest effort of a transcendent genius. In consequence however of the coalition of the Whigs, which took place after the resignation of Sir Robert Walpole, the prince, whose reconciliation with the court proved of transient duration, was left entirely in the hands of the Tories, now affecting to style themselves the "Country Party;" or, if the ancient nominal distinction was ever retained—REVOLUTION TORIES. The leaders of this party alleged with too much reason, that the Whigs, engrossing, as was notorious, the executive offices of the state with little intermission since the Revolution, and without any interval whatever since the accession of the house of Hanover, had introduced maxims of

government totally inconsistent with the true interests of the nation. They had involved Great Britain as a principal in all the contentions and quarrels of the continent; they had pretended a necessity for supporting a political balance of power, which was never proved to be in danger; and under this pretext they had made England subservient to schemes of Hanoverian, of Austrian, of Prussian aggrandizement. In the prosecution of their wild and pernicious plans they had contracted an immense debt, the interest of which was discharged by taxes the most odious and oppressive. This debt had rapidly and alarmingly accumulated; and as no serious or permanent measures had been adopted for its eventual liquidation, the nation was menaced with the hideous prospect of a general bankruptcy. In addition to the enormous sums raised upon the public, and mortgaged for the payment of the national creditors, the remaining branches of the revenue were appropriated to the maintaining a formidable army under the sole command of the crown, by which the liberty of the country, and the very existence of the constitution, were exposed to imminent and habitual danger. They affirmed, that a system of corruption had been established in consequence of the vast increase of ministerial and regal influence; that a very large proportion of the king's subjects had been long exposed to a state of political proscription, though chargeable

BOOK XIII. 1760.

with no disaffection to the present government, excepting what unavoidably arose from this injurious treatment. The prince of Wales had deeply imbibed these ideas, and was laudably solicitous to extend the protection of government to all who had not, by culpable misconduct, forfeited their claim to it, without any distinction of party; convinced that those who fulfilled the duties were entitled to the privileges of good citizens and subjects. It may however be justly questioned, whether the most eminent and respectable individuals of the Tory, or Country party—a Wyndham—a Shippen—or a Carew, ever attained to those clear conceptions of government, and to the perfect and cordial adoption of those wise and beneficent maxims of policy, which characterized the most virtuous and enlightened of the Whigs. The grand defect in the general theory of these patriots, who in many respects deserved so highly the esteem and gratitude of their country, was their erroneous and imperfect ideas of the nature of toleration. Devotedly attached to the ESTABLISHED CHURCH, they considered a dissent from it as a species of dangerous delinquency, or at least of culpable contumacy, permitted indeed by the indulgence of the law, but by no means founded on any immutable claim of equity or justice. And they were unhappily of an opinion recently revived, and enforced with all the art of

sophistical malignity, that a sectary is a citizen *partially disaffected to the constitution*, including the twofold distinction of church and state; not considering that the church, as a civil institution, is the mere creation of the state, and exists only by its sovereign will; that a voluntary option therefore of assent or dissent is allowed, and, under a free constitution, cannot but be allowed to every citizen pleading the inviolable claims of conscience. In dissenting from the church, a right is exercised which is recognized by the constitution, and which it must therefore be a complication of folly and injustice to brand as a proof of disaffection to the constitution. It does not however appear that the prince of Wales was himself in any degree tainted with these miserable prejudices; and, during the lifetime of the prince, there is good reason to believe that great and incessant pains were taken to infuse into the minds of his rising offspring, and more particularly into that of his eldest-born, "the second hope of Britain," just and elevated sentiments of government, and of liberty civil and religious*.

* In an occasional address or prologue, spoken by prince George, on acting a part in the tragedy of CATO, performed at Leicester-House, about the year 1749, he was instructed thus to express himself—

. . . . . .

The poet's labours elevate the mind,
Teach our young hearts with generous fire to burn,
And feel the virtuous sentiments we learn.

BOOK XIII. 1760.

But from the period of the untimely and lamented death of the prince, the system of education adopted by the princess dowager of Wales, to whom the guardianship of the royal issue was entrusted, appeared to be impressed with a bias entirely new; and the ominous resignation of lord Harcourt and the bishop of Norwich, with the reasons assigned in vindication of their conduct, was the subject of much anxious apprehension; especially as it was but too well known that the earl of Bute, a nobleman haughty in his manners, contracted in his capacity, despotic in his sentiments, and mysterious in his conduct, was successfully insinuating himself into the confidence of the princess of Wales, and of her son the heir apparent of the crown. On the 27th of October 1760, Sunday only having intervened since the death of the late king, the earl of Bute was sworn a member of the privy council—a mark of distinction so striking and peculiar, as appa-

Elevation of the earl of Bute.

T'attain these glorious ends, what play so fit
As that where all the powers of human wit
Combine to dignify great CATO's name,
To deck his tomb, and consecrate his fame?
Where LIBERTY—O name for ever dear!
Breathes forth in every line, and bids us fear
Nor pains nor death to guard her sacred laws,
But bravely perish in our country's cause.
Should this superior to my years be thought,
KNOW, 'TWAS THE FIRST GREAT LESSON I WAS TAUGHT.

rently to portend changes of great political importance. After a short interval, the rangership of Richmond park was taken from the princess Amelia, the only unmarried daughter of the late king, and whom he had ever delighted to distinguish by marks of his affection, and bestowed upon the earl of Bute*; and, by an order of the king in council, the name of the duke of Cumberland, dear since the memorable day of Culloden to the Whigs, was struck out of the liturgy. The commencement of the present reign was also distinguished by a grand creation of peers, and far more offensively by the nomination of twelve additional LORDS of the BEDCHAMBER—an office of worse than Turkish or Persian servility.

First session of parliament.

The parliament, which, agreeably to the salutary provisions of an act passed for that purpose, continued to exercise its functions for a period of six months after the death of the sovereign, met on the 18th of November, when

* As the rangership was held for life by patent from the crown, the princess could not be divested of it but by her own consent, which was obtained by the grant of a pension of 1,200*l.* per annum on the Irish establishment. But she withdrew entirely from court, in consequence of the disrespectful treatment she received; retaining to the last moment of her life a deep sense of the insult, if not the injury she had sustained; leaving her immense wealth, to the entire exclusion of the royal family of Great Britain, amongst the descendents of her sister, the princess of Hesse.

BOOK XIII. 1760. Memorable speech from the throne.

the king, seated on the throne with all the splendid decorations of royalty, delivered a speech calculated in the highest degree to confirm all the fond and flattering prepossessions of the public in his favour. After a decent expression of concern for the loss of the late king, and imploring the blessing of heaven on his endeavours to sustain the weight of government which now devolved upon him, the young monarch, with great propriety and dignity of elocution, proceeded in these remarkable words: "Born and educated in this country, I GLORY in the name of BRITON; and the peculiar happiness of my life will ever consist in promoting the happiness of a people whose loyalty and warm affection to me I consider as the greatest and most permanent security of my throne. The civil and religious rights of my loving subjects are equally dear to me with the most valuable prerogatives of my crown." After an ample delineation of the flourishing circumstances of the kingdom, he concludes as follows: "In this state I have found things at my accession to the throne of my ancestors—happy in viewing the prosperous part of it: happier still should I have been, had I found my kingdoms, whose true interest I have entirely at heart, in full peace: but since the ambition, injurious encroachments, and dangerous designs of my enemies, rendered the war both just and

necessary, and the generous overture made last winter towards a congress for a pacification has not yet produced any suitable return, I am determined, with your cheerful and powerful assistance, to prosecute this war with vigour, in order to that desirable object—a safe and honourable peace. The eyes of all Europe are upon you. From you the *Protestant interest* hopes for protection, as well as all our friends for the preservation of their independency; and our enemies fear the final disappointment of their ambitious and destructive views. Let these hopes and fears be confirmed and augmented by the vigour, unanimity, and dispatch of our proceedings. In this expectation I am the more encouraged by a pleasing circumstance, which I look upon as one of the most auspicious omens of my reign. That happy extinction of divisions, and that union and good harmony which continue to prevail amongst my subjects, afford me the most agreeable prospects. The natural disposition and wish of my heart are to cement and promote them; and I promise myself that nothing will arise on your part to interrupt or disturb a situation so essential to the true and lasting felicity of this great people."

Although this celebrated speech was conceived in the true spirit of Whiggism, and was expressed with all the energy and animation which cha-

BOOK XIII. 1760.

racterized the present minister, it is probable that Mr. Pitt was not insensible, or inattentive, to the intrigues and cabals already formed for the purpose of effecting a general removal of the present administration from office. In a few days subsequent to the meeting of parliament, lord Bute declared to his confidential friend, Mr. Doddington, soon afterwards created lord Melcombe, that lord Holderness, who appears to have been the earliest convert to the new system, "was ready, *at his desire*, to QUARREL with his fellow-ministers, on pretext of slight and ill usage, and throw up in SEEMING ANGER, in order that lord Bute might come in without appearing to displace any body*." This complaisant and courtly, or, to speak in juster terms, this mean and servile offer, lord Bute did not deign for the present to accept. Very early in the month of January, ten weeks of the new reign not being as yet completed, lord Bute informed his confident, Mr. Doddington, "that Mr. Pitt MEDITATED A RETREAT." Shortly after this, lord Bute said "it would be easy to make the duke of Newcastle resign—but who should be the successor? He thought it not advisable to begin there." Doddington replied, "that he saw no objection; but, if lord Bute was averse, *it might be put into hands that would resign it to him whenever he chose to take*

1761.

* Lord Melcombe's Diary.

it." It is observable, that lord Bute declared his belief that the duke of Newcastle harboured no hostile intentions, nor, in case of resignation, would he oppose the future ministry. Doubtless this nobleman, who had grown old in the service of the house of Brunswic, and had long possessed the favour and confidence of the late king, felt at this period little propensity to oppose the measures, or resist the inclinations, of a young monarch borne along by the full tide of popularity and prosperity. Perceiving his political consequence lost, and conscious of being at once hated as a rival and contemned as an incumbrance, he appears to have been now solicitous only to secure an honourable retreat. But from the difficulty of appointing an immediate successor, his grace was permitted yet awhile to linger in office, the mere cypher of a minister, and the phantom of his former greatness. BOOK XIII. 1761.

The enormous supplies demanded for the prosecution of the war, amounting to nineteen millions, of which twelve millions were funded at an high interest, were granted without inquiry or hesitation. Amongst the most remarkable articles of the national expenditure, was the sum of 200,000*l.* voted by the commons, in consequence of an express message from the throne, as a compensation to the several provinces of America for the extraordinary expences incurred Enormous supplies.

BOOK XIII. 1761.

by them in their vigorous and strenuous efforts during the present war, and which the parliament virtually acknowledged by this grant to be more than adequate to their proportional ability. Nor was the present grant the first of this nature wisely and indulgently conceded by the parliament; and affording a pleasing and striking contrast to the enormous folly displayed in the extravagant sums lavished in German and Prussian subsidies. The civil list was fixed at the clear annual sum of 800,000*l.* payable out of the aggregate fund, in lieu of the hereditary and other specific revenues settled on the late king.

Commission of the judges made permanent.

Towards the close of the session, a very popular measure was recommended by the new monarch, in a speech from the throne, by which much reputation of patriotism and disinterestedness was gained at a very inconsiderable expence. Notwithstanding the act passed in the reign of king William, by which the commissions of the judges were continued during their good behaviour, their offices determined at the demise of the crown; though no instance had in fact occurred since the Revolution, in which a judge had been removed at the accession of a new sovereign. The king, however, now declared, that he considered the independency and uprightness of the judges as essential to the impartial administration of justice, and one of the best securities of the

liberty of the subject, as well as conducive to the honour of the crown. He therefore recommended that such farther provision should be made for securing the judges in the enjoyment of their offices, and the permanency of the salaries annexed to them, notwithstanding such demise, as should be thought expedient. The commons acknowledged, in a very loyal address, their grateful sense of his majesty's attention to an object so interesting to his people: and a bill framed for the purpose passed both houses in a very short time. It is evident that no real sacrifice was made on the part of the crown in this instance—for neither was any purpose to be answered by the removal of the judges promoted under the late reign, nor would any minister have ventured previously to advise, or subsequently to justify, so unprecedented and unconstitutional a measure. As princes are, however, in general, not only fond of power, but of the shadow of it, praise is due to every indication of a disposition favourable to liberty; and it is a concession, however occasionally over-rated, which ought not to be mentioned but in terms of approbation and applause. 1761.

Resignation of the speaker, Mr. Onslow.

Mr. Onslow, who with the highest honour and reputation had occupied for more than thirty years the office of speaker in five succeeding parliaments, now bending under the weight of

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increasing years and infirmities, declared his determination to retire from public business. The house, sensibly affected at the prospect of this separation, immmediately and unanimously voted, "that the thanks of the house should be given to Mr. Speaker, for his long and faithful services —for the unshaken integrity of his conduct— for his steady impartiality in the exercise of his office—and his unwearied endeavours to promote the real interests of his king and country—to maintain the honour and dignity of parliament, and to preserve inviolable the rights and privileges of the commons of Great Britain." This venerable patriot rose to express his gratitude to the house for the distinguished honour thus conferred upon him—but he found his sensations too powerful for utterance, and, after a vain effort to speak, he was relieved by a flood of tears. At length, in broken sentences, he declared to the house "his inability to hear, without emotions by which he was entirely overpowered, these last expressions of their kindness and good-will. He had received the noblest reward which could possibly be bestowed upon the highest merit—the thanks and the approbation of his country. He acknowledged the imperfection of his services, but he protested that wherein he had failed, it was involuntarily; and he hoped he had gained the pardon of those to

whom any cause of offence had been inadvertently given. To give satisfaction to all, had been his constant aim, his study, and his pride. In retirement and obscurity, said he, shall I now spend the remainder of my days; and in the bosom of that retirement my ardent and constant prayer will be, that the constitution of this country be preserved inviolate, and more particularly that the freedom, the dignity, and authority of this house may be perpetual." The house then unanimously resolved on an address to the king, beseeching his majesty to confer some signal mark of his royal favor on the right hon. Arthur Onslow, esq. for his great and eminent services; and his majesty in return, expressed in high terms his esteem and approbation of the character and public conduct of the speaker; and a pension of 3000*l.* per annum was granted him for his own life and that of his son, afterwards ennobled by the title of lord Onslow.

On the 19th of March the parliament was prorogued, after a speech from the throne, expressing his majesty's entire approval of their conduct; and in a short time dissolved by proclamation, and a new parliament convened. Upon the very day on which the dissolution took place, Mr. Legge was dismissed from his office of chancellor of the exchequer; two days after which lord Holderness, having first secured an

Dismission of Mr. Legge.

Resignation of lord Holderness.

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ample pecuniary indemnification, together with the reversion of the wardenship of the Cinque Ports, resigned the seals, which were immediately delivered to the earl of Bute, who appointed the celebrated Charles Jenkinson, afterwards lord Hawkesbury, his under-secretary.

Succeeded by the earl of Bute.

The circumstances attending the dismission of Mr. Legge are somewhat remarkable. Not to advert to the resolution taken to discard all the members of the whig administration, that minister had given peculiar offence to the king when prince of Wales, by his conduct at the last general election. Mr. Legge had, as it appears, in consequence of very earnest solicitation, offered himself a candidate as knight of the shire for the county of Southampton. After the canvass was successfully terminated, and every idea of opposition had vanished, a message was received by Mr. Legge from the prince, requesting him, in pressing and somewhat peremptory terms, to relinquish his pretensions in favour of sir Simeon Stuart, a near relation of the earl of Bute. Mr. Legge, in reply, represented in very respectful language his earnest desire to gratify the wishes of his royal highness, had timely intimation been given him of his intention; but, as things were now circumstanced, he could not in honor to himself, or justice to his friends, recede from the nomination already

made. This was a species of contumacy altogether unpardonable; and the new monarch took a very early and decisive opportunity to demonstrate to the world how different was his system of thinking from that of Louis XII. who, with a magnanimity truly royal, declared it beneath the dignity of a king of France to revenge the quarrel of a duke of Orléans. Notwithstanding the advancement of lord Bute, the entire management of foreign affairs still remained with Mr. Pitt, matters not being as yet mature for a total change; and the fall of Mr. Legge, which was the certain prelude to an approaching catastrophe, and which ought to have been the signal for an immediate and general resignation, seemed to give little alarm, and made no visible alteration in the political system. He was succeeded by sir Francis Dashwood, a zealous *revolutionary*, intimately connected during the last reign with the court of Leicester-house, and who considered the earl of Bute as already occupying the post of first lord of the treasury: and his firm attachment to that nobleman, doubtless, compensated for his palpable deficiency in the qualifications requisite to the just discharge of the duties of his station. BOOK XIII. 1761.

Previous to the resumption of the regular narration of events, it will be necessary, at least useful, to advert to the general state of parties at State of parties.

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this period; for it must no more be inferred, from the perfect serenity which had, under a wise and magnanimous administration, prevailed for several years past throughout the kingdom, that no political parties or dormant seeds of animosity existed, than during the peaceful intervals of the eruptions of Ætna or Vesuvius, that no combustible materials threatening future explosion were lodged in the concavities of these volcanoes. The grand parties which divided the nation at this juncture, nominally indeed coincided with those which prevailed at the distant æras of the Revolution and Accession. But a real and most material alteration had taken place. By the impolitic violence of the measures adopted by the whigs on their restoration to power, a great proportion of the tories were driven into jacobitism; but after repeated unsuccessful efforts, the cause of the Pretender was given up as desperate, and his very name had sunk into contempt, and almost into oblivion. The more respectable part of the tories, long since abandoning the absurd speculative opinions of their ancestors, but retaining at bottom strong monarchical prepossessions, with high and arbitrary maxims of government, confined their opposition to the new and unconstitutional measures adopted by the whigs. Since the death of the late prince of Wales their political importance had much

diminished, and they seemed, in gloomy and portentous silence, mysteriously to reserve themselves for more favorable times. The principles of the whigs, who constituted the bulk of the kingdom, had suffered little variation. It might nevertheless be observed, that, as the national attachment to the house of Brunswic increased, the national dislike of the whig or Hanoverian system of politics had proportionally diminished. A standing army, a national debt, a German war, a septennial parliament, a government by influence—terms once of terrific and hateful sound—no longer excited alarm. The third grand political distinction was that of the dissenters, comprehending under this general denomination all the different classes of protestant sectaries, who had been ever uniformly and closely connected with the whigs by their common attachment to the principles of liberty civil and religious; by their zeal for the house of Hanover, and their *indiscriminate support* of the measures of the court—a zeal at this period still subsisting and operating on their part with unabated ardor. This very circumstance, however, taken in conjunction with the known fact, that the bulk of the established clergy had since the æra of the Revolution invariably sided with the opposition, plainly shewed, to adopt the words of a profound and philosophical his- BOOK XIII. 1761.

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torian*, "that an extrinsic weight, SOME BIAS, was yet hanging on the constitution, which turned it from its natural course." But the established clergy, once the firm and passionate adherents of the house of Stuart, began at length to be sensible of the strange delusion they had labored under, and were now well disposed to compensate for former deficiencies, by the excessive overflow of their present loyalty. When a competition for royal favor was thus established between the church and the sectaries, it was evident that the latter must soon find themselves unable to maintain the contest. The interests of the church, *i. e.* of the clergy, must be allowed so far to coincide with those of the crown, as clearly to suggest the policy of opposing, with united strength, all innovations by which the power or splendor of either might be eventually affected. Exclusive of this leading consideration, the dignity, the grandeur, the opulence associated with an establishment, would give it a decisive superiority, in the scale of royal estimation, over a body of men entirely destitute of these advantages. Conscious of their prodigious inferiority in these respects, the dissenters would *naturally* regard the prerogative of the monarch, and the authority of the church, with jealous eyes. They would eagerly seize every occasion to

* Hume.

secure and extend the general system of liberty, and, in the *usual* course of things, would be inclined to favor the party in opposition to the court. No just conclusion however can hence be drawn, that a wise and equitable government would find it impracticable, or even difficult, to restrain this disposition within reasonable and salutary bounds. In proportion as the sectaries *feel* that comparative weakness and insecurity which must necessarily both excite and justify a certain degree of habitual alarm and apprehension, would they be soothed and flattered with any marks of respect or confidence from the executive power, which, however unimportant in their own nature, would be considered as proofs of *a favorable disposition*. And a government acting either on a selfish or a benevolent principle, would find itself amply repaid for these trivial indulgencies in the gratitude and affection of a numerous class of citizens, on every account entitled to attention and regard. Agreeably to the genius of sects in general, who must necessarily possess elevated ideas of their own religious superiority in doctrine, discipline, or practice, the English sectaries will be found not destitute of a considerable tincture of enthusiasm or prejudice. For it is absurd to suppose the dissent of the generality to be *founded on reason*, whether it be or be not capable of a rea-

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sonable vindication. Sectaries, taking them in the aggregate, will also with their religious prejudices combine more rigid morals than can with probability be expected in the promiscuous multitude. On this account, and from that degree of knowledge and intelligence which, from obvious and permanent causes, will be very generally diffused among them, though few perhaps will drink deep of the fountain of philosophy or attain to the highest seats in the temple of science, they will certainly, upon the whole, possess very extensive influence in the grand sphere of civil and social life. If then these people observe a disposition in government to treat them with contempt and rigor; if they perceive an eagerness in the ruling powers, on every occasion, to show that they are regarded by them as persons partially disaffected to the constitution, as men undeserving of confidence, who are endured by the lenity and not protected by the justice of the government—a spirit of resentment, animosity and rancor, will be most surely excited*. By being constantly suspected, they

* "An esse ulla major aut insignior contumelia potest, quam partem civitatis velut CONTAMINATAM haberi? Quid est aliud quam exilium inter eadem mœnia, quam relegationem pati? Sic nos sub legis superbissimæ vincula conjicitis, quà dirimatis societatem civilem, duasque ex una civitate faciatis." Liv. lib. iv. cap. 4.

will become the just objects of suspicion. By being *falsely* branded as disaffected, they will

Thus the wisdom of antiquity pronounced. But in the view of fools, wisdom is doomed to appear as folly. A few extracts from the celebrated pamphlet ascribed to the present bishop of Rochester (Dr. Horsley), entitled "Review of the Case of the Protestant Dissenters," will afford a complete specimen of the language and sentiments which, since the revival of the TORY SYSTEM, have been most fashionable and acceptable at the court.—"That a dissenter, whatever may be his integrity and piety, is an unfit person to be intrusted with authority or influence in a state, is an axiom in politics," this high-church prelate affirms, "of which a regular proof is not wanting.—In this country the statesman finds an established church amidst a variety of *bruvelling sects*, all clamorous against the hierarchy, to whose *candor and liberality* they are in great part indebted for TOLERATION.—It becomes the friends of peace and order, whenever the universal acknowledgment of the right of private judgment is pretended, to protest ALOUD against it.—The exclusions of the corporation and test acts hardly amount to incapacities"—and, for the reason which his lordship assigns, an *auto da fé*, by which the tribunal of the Holy Inquisition commits the bodies of heretics to the flames for the good of their souls, inflicts no punishments—"because they are only such as the delinquent hath, by a recantation of his errors, in his own power to remove." There is too much reason, as his lordship intimates, to suspect "that the principles of a non-conformist in religion and a republican in politics are inseparably united;" and yet the non-conformists are universally allowed to have been *in fact* the firmest friends of those monarchs who treated them as friends.—"The truth seems to be," says his lordship, contrary to the uniform and positive tenor of the historic evidence—"that the dissenters were *equally with the*

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become *truly* disaffected: and though that disaffection may not produce any immediately visible effect; nay, though the indiscreet expressions of anger and political alienation on their part, in consequence of great and recent provocations, should expose them to the temporary warmth of general resentment; yet in the ceaseless vicissitudes of human affairs an impression may, at some crisis favorable to a sudden and

papists the original objects of the test act!!!—The corporation act with *great wisdom and justice* hath provided for the perpetual exclusion of the non-conformists.—It matters little what might be the original purpose of the test act. It now stands in the statute-book a declared provision against the dissenters.—This argument (the inefficacy of the test) proves the expediency of queen Anne's statute against occasional conformity.—The NON-CONFORMISTS have no claim upon the GRATITUDE, the JUSTICE, or the IMPARTIALITY of the British government.—Should the test laws be repealed, the work of reformation will go on till one stone will not be left standing upon another of the admired fabric of the British constitution."

Such are the maxims which constitute the wisdom and policy of the present reign with regard to the dissenters; and yet it is made a subject of wonder and reproach that the dissenters are become discontented and indignant—as if dissenters did not participate of the common passions and feelings of human nature. REST, REST, IMMORTAL SPIRITS OF LOCKE, HOADLEY, AND SOMERS! Seek not to know by what improvements on your exploded principles the house of Brunswic now governs the empire of Britain!

unexpected change of sentiment, be made on the public mind, which shall strikingly demonstrate this odious system of policy to be as devoid of wisdom as it is of justice and magnanimity. On these general axioms the history of the present reign will afford in many respects an instructive and mournful comment. BOOK XIII. 1761.

In the month of March (1761) while the parliament was yet sitting, very alarming commotions took place in several of the northern counties, in consequence of the expiration of the three years' term of service prescribed by the militia act, and the new ballot now about to take place. At Hexham in the county of Northumberland, the justices being assembled for the purpose of enforcing the act, the populace, regarding this military compulsion as a tyrannical and insupportable grievance, collected to the number of many thousands, armed with clubs and other offensive weapons, with which they assaulted the guard of soldiers stationed for the protection of the magistrates. The riot act was read without effect, and they were proceeding to still greater outrages, when the military received orders to fire upon the assailants, five-and-forty of whom were killed on the spot, and no less than three hundred miserably wounded, amongst whom were many women and children; and various of the rioters were Commotions excited by the militia act.

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in the sequel apprehended, tried, and executed. By a resolute exertion of military force, a general and sullen submission to the act was at length obtained; but the wisdom and humanity of those by whom the bill was originally framed still remained at least as problematic as before.

Marriage of the king.

In the course of the summer the king declared in council his resolution to demand in marriage the princess Charlotte-Sophia of Mecklenburg Strelitz; and the earl of Harcourt being appointed ambassador plenipotentiary to the court of Strelitz, the contract of marriage, after a negotiation not very tedious, was signed, and the princess conducted to Stade, whence she embarked on board one of the royal yachts, and arrived at the palace of St. James's, September 8, the nuptial ceremony being the same evening performed in the chapel royal. And on the 22d of September the coronation of their majesties was celebrated with much pomp and magnificence. The new queen soon acquired great popularity by the sweetness and affability of her manners, which by the prudence and propriety of her conduct she for many years retained.

The operations of the war were still carried on with the accustomed vigor and success. In the

Dominique captured.

month of June, the island of Dominique, important from its situation between the islands of Martinico and Guadaloupe, was reduced with little diffi-

culty or loss, by an armament commanded by sir James Douglas and a body of troops under lord Rollo. A far more hazardous enterprise was undertaken about the same time against the island of Belleisle, situated opposite the harbour of Vannes on the coast of Bretagne. The island was defended by a strong fortress, constructed by the famous Vauban, near the town of Palais. On the first disembarkment of the troops, they met with a very severe repulse, being compelled precipitately to retreat, with the loss of near 500 men. But the English commanders, general Hodgson and commodore Keppel, secure of the zeal and ardor of their troops, rendered bold and sanguine by a long continuance of prosperity, determined to make another effort, which was attended with happier success—and a body of marines and grenadiers, making good their landing on the craggy point of Lomeria, sustained their position with wonderful intrepidity against a very superior force, till joined by the remaining troops amounting to eight or ten thousand men. M. de St. Croix, the French commander, then recalled his detachments, and prepared for a vigorous defence of the citadel; the avenues to which he had fortified with six additional redoubts, which, with much effusion of blood, were successively attacked and carried by the English, who now urged, with the most persevering ardor, the

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siege of the citadel. On the 7th of June, a practicable breach being made, and a general assault apprehended on the part of M. de St. Croix, that officer demanded a capitulation, which was granted on the most honorable conditions. Thus, at the expence of two thousand lives, and an enormous sum expended in naval and military preparations, the English achieved the conquest of a barren rock, affording no produce excepting the laurels of victory.

Ineffectual negotiation for peace.

At the termination of the successful campaign of 1759, overtures had been made, agreeably to the intimation in the speech from the throne, by the kings of Great Britain and Prussia to the courts of Vienna and Versailles, for a general accommodation of differences, which did not appear wholly unacceptable; and after some communications through the medium of prince Louis of Brunswic, residing at the Hague in quality of commander in chief of the armies of the republic, and guardian of the young stadtholder, it was agreed to open a general congress at Augsburg. Various causes of delay however concurred to prevent the execution of this project*, and the court of Vienna was not yet pre-

* The principal obstruction to the meeting of this congress, the object of which was to restore tranquillity to so many kingdoms, arose, as the royal historian tells us, from this curious

pared to relinquish its claim to Silesia. But the ensuing campaign of 1760 proving very disastrous to France, whose finances were now reduced to a state of the most distressing derangement, the French ambassador resident at Stockholm delivered a declaration to the Swedish monarch in February 1761, importing his sovereign's earnest desire to adopt effectual measures for restoring the peace of Europe:—that in concerting with his allies a general plan of pacification, he was disposed abundantly to display his moderation whenever Great Britain should be inclined to acquiesce in reasonable terms:—that in consequence of the expences and calamities attendant on the war, he was constrained to lessen his subsidies; and should the war continue, he could no longer promise an exact compliance with the letter of his engagements. In the month of March, a memorial was transmitted by the hands of prince Gallitzin, the Russian ambassador at the court

punctilio:—It was objected by England and Prussia, that as no war was waged against the emperor, but only against the empress as queen of Hungary, &c. his imperial majesty had no right to send an ambassador to the congress. But the emperor not choosing to desist from his pretensions, and being in fact a party concerned as head of the empire, under the BAN of which the king of Prussia, in his capacity of elector, had been put by the diet, and the validity of which would have been thus virtually confirmed, the whole plan of pacification proved abortive.—*Histoire de la Guerre de Sept Ans.*

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of London, from the duc de Choiseul, prime minister of France, to Mr. secretary Pitt, signifying the firm determination of his most Christian majesty so to act in concert with his allies at the future congress, as to demonstrate his sincere disposition to promote the interests of humanity, and restore the peace of Europe. His most Christian majesty expressed his desire "that the particular accommodation between France and England should be united with the general pacification of Europe; but as the objects of the war between these two powers were totally foreign to the disputes in Germany, he thought it would be previously necessary to agree with his Britannic majesty upon certain principal points which should form the basis of their particular negotiation." These advances were favourably received; and Mr. Pitt wrote an immediate answer to the duc de Choiseul, expressing his Britannic majesty's sincere desire to correspond with the pacific sentiments of the most Christian king—and proposing that ministers duly authorized should be immediately appointed at the respective courts of Versailles and London, to enter upon this negotiation; and in the month of May Mr. Stanley repaired to Paris on the part of the king of England, and M. Bussy was received in the same manner from the court of France at St. James's. The instructions of M. Bussy were, to adhere to

the *uti possidetis*, as the basis of the negotiation; to demand an explanation of his Britannic majesty's sentiments touching the dates or æras at which the proposal should take place: and in the conferences which ensued, the French minister continued to press the specification of those dates. But the English minister evaded the discussion of this point until the surrender of the citadel of Belleisle: and then a declaration was made in explicit terms, that the first of July, the first of September, and the first of November next, should be the established æras in Europe, the West Indies, and the East Indies; after which all the conquests made on either side should be mutually restored; that the preliminaries agreed upon between the two crowns should be conclusive and obligatory, independent of the negotiations of Augsburg for settling the peace of Germany. After the interchange of many memorials chiefly respecting the compensations to be made for the deviations proposed from the original principle or basis of the *uti possidetis*, France professed her willingness to cede and guaranty Canada to the crown of England, on condition of her being admitted to a participation, as formerly, of the cod-fishery on the banks of Newfoundland; and insisting also upon the restitution of the island of Cape Breton, as an equivalent for which, France consented to a renewal of the

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article in the treaties of Utrecht and Aix-la-Chapelle, for the demolition of the harbour and works of Dunkirk; that in lieu of the island of Minorca, England should restore Guadaloupe and Marigalante; and that in consideration of the restitution of Belleisle and Senegal, or Goree, France would evacuate her conquests in Germany. Touching the captures made by England at sea, previous to the declaration of war, his most Christian majesty declared that "he would gladly submit to the justice of the king of England and the determination of the English courts of judicature: that subjects trading under the faith of treaties, and the protection of the law of nations, ought not to suffer from the misunderstandings which may arise in the cabinets of princes, before those misunderstandings are publicly known: that the practice of declaring war was established by the law of nations as essential to the general safety: that no seizure made or prize taken anterior to such declaration could be deemed legal, without violating the most sacred of human institutions: that no sort of affinity subsisted between hostilities committed on the Ohio and ships taken in the West Indies: that such hostilities might indeed be alleged as just motives for declaring war, but the effects of that declaration ought not to precede the declaration itself—and that it would be the height of injus-

tice thus to involve innocent individuals, ignorant of the disputes of monarchs, or the affairs of nations, in the depth of distress and ruin, by the indiscriminate confiscation of their property." Together with this memorial, M. de Bussy delivered to the English minister another of a very extraordinary nature, importing that the disputes subsisting between England and Spain gave his most Christian majesty cause to apprehend a new war in Europe and America, unless they could be now adjusted: that his Catholic majesty had communicated to the court of Versailles the chief points of discussion, namely, the restitution of some ships taken in the course of the war under Spanish colours, the liberty claimed by the Spanish nation to fish on the banks of Newfoundland, and the settlements made by the English on the Spanish territories in the Bay of Honduras. His most Christian majesty therefore passionately desired, that these differences might be amicably terminated, and that the king of Spain should be invited to guaranty the treaty between the two crowns; because, if these differences were the means of kindling a new war, the most Christian king would be obliged to perform his engagements to his allies. These memorials were accompanied with a third declaration, signifying that the empress queen had consented to a separate peace be-

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tween England and France on these terms only: that France should for her benefit keep possession of the countries conquered in her name, and as her ally, from the king of Prussia; and that the king of Great Britain should no longer afford assistance either in money or troops to the king of Prussia, in like manner as France should be restricted with respect to the empress queen. The indiscretion of these memorials, containing demands thus novel and offensive, was so flagrant, that many persons scrupled not to brand the entire proceedings of the court of Versailles with the most insidious duplicity; though it appeared sufficiently evident to the intelligent and impartial, that the impolicy of her conduct arose from her extreme anxiety for peace, and a too sanguine hope that the prospect of an eventual rupture with Spain would induce Great Britain to relax the rigor of her terms. The resentment and indignation of the court of London at this invidious and unexpected interposition seemed to know no bounds. Mr. secretary Pitt declared, both verbally and in writing, to M. de Bussy, that the king of Great Britain would not suffer the disputes with Spain to be mixed, in any shape whatsoever, with the negotiations for peace now depending with France, and that all further mention of such an idea would be considered as offensive to his dignity: and the right of France

at any time to intermeddle in like discussions between England and Spain was denied with the most positive disdain. Upon these grounds M. de Bussy was informed, that the king of England had ordered the memorial concerning Spain to be returned as totally inadmissible; and also the memorial relating to the king of Prussia, as affecting the honor of Great Britain, and the unshaken fidelity with which his majesty will fulfil his engagements with his allies. The court of Versailles now became fully sensible of the ill consequences that might result from this false, perhaps fatal step. In a subsequent memorial, therefore, she condescended to apologize for proposing a discussion of the points in dispute with Spain, and declared her readiness to make new concessions for the purpose of accomplishing the desirable end of general pacification. In reply, a paper was transmitted to Mr. Stanley, containing the *ultimatum* of the English court—insisting upon the entire cession of Canada and its dependencies; of Cape Breton and the other islands in the Gulf of St. Laurence; of the settlements of Goree and Senegal, in Africa; a partition of the neutral islands; the restoration of Minorca; the demolition of Dunkirk; satisfaction to the East-India company; the evacuation of Ostend and Nieuport; the restitution of Cleves, Wesel, Gueldres; and in general of all

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the territories belonging to the king of Prussia and the other allies of Great Britain. The king of England also left himself at full liberty to assist his Prussian majesty according to the terms of the subsisting treaties. With respect to the prizes taken after the commencement of hostilities, though before the formality of declaring war, his Britannic majesty persisted in his opinion, that such a demand on the part of France was neither just nor defensible. Should France comply with these propositions, the court of London declared its readiness to restore to France her conquests of Belleisle and Guadaloupe, and to admit the subjects of his most Christian majesty to a participation of the Newfoundland fishery, agreeably to the thirteenth article of the treaty of Utrecht, and to cede the small island of St. Pierre, on certain conditions, as a harbour for the fishermen. These severe terms France, in the *ultimatum* on her part, dated September 13, 1761, accepted with little variation, excepting that she refused to recede from her claim of restitution respecting the capture of merchant ships captured previous to the declaration of war; and that his most Christian majesty asserted it to be not in his power, agreeably to the stipulations by which he was already engaged, to evacuate the countries belonging to the empress queen.

To this memorial the court of London deigned not to reply; and the ministers Stanley and Bussy, this ineffectual negotiation being at length terminated, returned to their respective homes. Notwithstanding the immediate withdrawment of the memorial respecting Spain, and the declaration of France, that the offence given to the English court was perfectly unintentional, much anger and resentment remained, which now indeed appeared chiefly directed against the court of Madrid: and the English minister, of a disposition naturally bold and peremptory, and whom a long course of prosperity had rendered haughty and presumptuous, transmitted instructions to the earl of Bristol, the ambassador of England at the court of Spain, to require from his Catholic majesty an explicit declaration as to the authority by which the French minister acted, in presenting a memorial in the name of the king of Spain, which, to use the language of the English secretary, "best spoke its own enormity;" and in case it should be avowed by the court of Madrid, to remonstrate with energy and firmness the unexampled irregularity of such proceedings, and to declare his majesty's immoveable determination not to add facilities for the satisfaction of that court, in consideration of any intimation on the part of a hostile power of union in councils, or of present

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or future conjunctions. In relation to the three points stated in this "insolent memorial," Mr. Pitt declared it sufficient to say respecting the first, "that the courts instituted for the cognizance of such matters are open to the parties who think fit to seek redress in due course of law. As to the obsolete pretensions of Spain to fish on the banks of Newfoundland, no concession in a matter so sacred would be even thought of. With regard to the disputes relating to the logwood coasts, his Britannic majesty was willing to receive any just overtures on the part of his Catholic majesty, provided they were not conveyed through the channel of France. And he concluded with professing his expectation that the court of Madrid would come to some explicit eclaircissement as to the destination of her fleets, and with respect to her disposition to maintain and cultivate friendship and good correspondence with Great Britain." The earl of Bristol, who appears to have conducted himself throughout this difficult negotiation with distinguished ability and address, informed Mr. Pitt in his reply, dated August 31, 1761, that immediately on the receipt of the dispatches from England, he had waited on the Spanish minister Don Ricardo Wall, at St. Ildefonso, and, in the most explicit, and at the same time in the least offensive mode, executed the orders

contained in them. In reply, general Wall affirmed that the king of Spain, with a view merely to render the peace more permanent, and without the least intention to give offence to his Britannic majesty, had assented to the proposal made by the most Christian king for the joint accommodation of their differences with Great Britain. The Spanish minister asked, whether it was possible to imagine that his Catholic majesty was seeking occasions of provocation at a time when England was in the most flourishing and exalted situation it had ever known, in consequence of the most extraordinary series of prosperities that any nation had ever met with; that Spain was surprized Great Britain should take umbrage at any naval preparations made since the accession of his present majesty, since the ships of war in commission were fewer than those which had been equipped during the reign of the late king Ferdinand; that they served in part to maintain the correspondence between the kingdoms of Spain and the Sicilies, of which his Catholic majesty, during the minority of his son, was the guardian and protector. Others were intended to convoy the homeward or outward bound flotas, azogues, or register ships; and the remaining ones were to defend their coasts against the insults of the Barbary corsairs; and that it was the inva-

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riable wish of his Catholic majesty to cement and cultivate the friendship so happily subsisting between the two courts. The Spanish minister acknowledged that the greatest harmony existed between the kings of France and Spain, at which who in this age could affect to wonder? But if his Catholic majesty had conceived that the memorial in question could have been construed into a menace, he would never have consented to the delivery of it. On the contrary, what proceeding, said the Spanish minister, more noble can an enemy hold, than to say as France does to Great Britain—I am resolved for the sake of peace to make these sacrifices; but at the same time, in order to secure the permanency of it, I am desirous that England should settle with Spain their subjects of disagreement, lest from the nature of our subsisting engagements I may be entangled in a fresh war? As to the differences which had arisen between England and Spain respecting the capture of the Spanish ships during the war, the general allowed they would admit of an easy accommodation. But the court of Spain thought the other two articles of much more importance; and that the refusal of the English court to enter into any negotiation respecting the claim of Spain to fish on the banks of Newfoundland was violent and harsh, especially as coupled with the absolute

determination of England not to relinquish her acknowledged usurpations on the coast of Honduras, except his Catholic majesty would previously assure to them the right to which they pretended, of cutting logwood within that territory. In other words, he affirmed this was saying, "I will give up the dwelling of which I have taken forcible possession, but first you shall engage to give me what I want to take." When the forbearance of Spain respecting the logwood was compared with the exclusive and dogmatical claim of England to the Newfoundland fishery, which was of so much importance to Spain, as an article not of luxury but subsistence, the Spanish minister said, he thought the English themselves would hesitate to boast of the superior justice and equity of their conduct. In his subsequent dispatches of September and October, the English ambassador informed the court of London, "that umbrage had been taken by the court of Madrid at the additional fortifications reported to be going forward at Gibraltar, and that general Wall had asked, if it were possible that England could be seriously apprehensive of a rupture with Spain; affirming, that at no time had the Catholic king been more intent upon cultivating a good understanding with his Britannic majesty than at the present; that the flota had arrived at Cadiz, but

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that the treasure belonging to the crown was much less than had been expected; that great abuses and malversations had been charged against the Spanish viceroys and governors in the West Indies; and that his Catholic majesty's ministers had strongly suggested to him the impracticability of reforming effectually the old defective system of government, should the court of Madrid embroil itself in the present troubles of Europe: that the Spanish minister, Don Ricardo, urged the evacuation of the more recent settlements on the Honduras coast, which he said would serve as a salvo for the honor of Spain, and greatly facilitate the final adjustment of her differences with England. General Wall, said the ambassador, has ever acted in too ingenuous a manner, for me to suspect the least duplicity in his conduct. The ambassador added, that on the notification of the king's marriage to the court of Madrid, he was particularly enjoined to assure the king of England of the share his Catholic majesty would ever take in all events that contributed to his happiness—that the Spanish minister expressed a thorough concern at the breaking off the conferences between the courts of Versailles and London; and said it was the opinion in Spain, that the French ministers had gone as great lengths in concessions as could be expected, considering the engage-

ments of France with her allies." Previous however to the arrival of the last dispatches, Mr. Pitt was no longer minister. Having received certain intelligence that a treaty of alliance was recently concluded between the two courts of France and Spain, and being firmly persuaded that the articles of this treaty were in the highest degree inimical to Great Britain, and that Spain waited only the favorable moment to act openly against her, he strongly urged in council the policy and necessity of an immediate declaration of war against that power; and recommended that a strong squadron should be immediately sent to the Mediterranean, to intercept the flota actually on its passage from Carthagena to Cadiz. In this opinion he was supported only by his brother-in-law, earl Temple, lord privy-seal*; and finding his influence in the cabinet at an end, he resigned the seals, October 9, 1761, in order, to use his own words, "not to remain responsible for measures which he was no longer allowed to guide." Mr. Pitt was succeeded in the office of secretary of state by the earl of Egremont, descended from the famous sir William Wyndham, and a tory of that modified cast which now clearly appeared to be the surest and strongest ground of court favor

Resignation of Mr. Pitt.

* Lady Hester Pitt, afterwards countess of Chatham, was sister to earl Temple.

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in the present reign. The king, in order doubtless to mollify the resentment of the late minister, granted him a pension of 3000*l.* per annum, a reward which his indifference to the accumulation of riches rendered it necessary, though with some risque to his popularity, to accept; and his lady was created baroness of Chatham, with remainder to her heirs male, Mr. Pitt in his own person declining the honors of the peerage. Thus did the new minister, or the FAVOURITE, by which appellation lord Bute was now very generally distinguished, accomplish the great object of his wishes in a manner which reflected much less discredit upon his character than could have been previously imagined. For the determination of the cabinet could not but be approved by the reflecting and intelligent part of the nation, who saw no clear proofs of any intention in the court of Madrid hostile to Great Britain; and who were of opinion, that to precipitate the nation, already loaded with a debt of one hundred and thirty millions, into a new and dangerous war, because a treaty had been concluded by Spain with France, which might, when the articles were divulged, possibly be found contrary to good faith and amity, was a mode of proceeding not to be justified by an appeal to the voice of reason, or the law of nations. It could not but be remarked, that

the resignation of Mr. Pitt in present circumstances favored more of pride and passion than of wisdom or patriotism; and that an opposition of sentiment in the cabinet on such a point, did not justify him in withholding his services at a crisis which peculiarly demanded the exertion of his great and acknowledged talents. Nevertheless, after a short and vehement competition between the supporters of the old system and the new for public favor, it declared itself strongly for Mr. Pitt. On attending the king to the Guildhall of the city of London, on the first anniversary of the election of a lord mayor, agreeably to ancient and established custom, the air was rent with the acclamations of the multitude; whilst the monarch himself passed comparatively unregarded, and the FAVORITE was insulted by the rudest expressions of plebeian malignity and insolence. An unanimous vote of thanks also passed the court of common council to the right hon. William Pitt, in the most flattering terms of respect and applause, for his great and eminent services*. BOOK XIII. 1761.

* On the resignation of Mr. Pitt, the officious and obsequious lord Melcombe, late Bubb Doddington, wrote a very curious epistle to lord Bute, congratulating his lordship "on being delivered from a most impracticable colleague, his majesty of a most imperious servant, and the country of a most dangerous minister. "I am told," says he, "that the people

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Rupture with Spain.

Had the new ministers determined to avoid that rupture with Spain, for which no political necessity, or in fact any rational motive, existed, they would have been entitled to indisputable praise. But hesitating between their own conviction of the expediency, not to say injustice, of the war, and their anxious desire to support their character with the nation at large for resolution and vigor, they adopted that equivocal line of conduct which aimed at no determinate object, and which was really calculated to accelerate the catastrophe they earnestly wished to avert. On the 28th of October the earl of Egremont wrote

are sullen about it. Be that as it may, I think it my duty to my most gracious sovereign and my generous friend to say, that if I can be of any service to either in any thing that is most dangerous and difficult, I am most ready to undertake it; and shall esteem it the more, as it partakes of either or both"—*i. e.* he was ready and willing, from the overflowings of his courage, loyalty, and patriotism, to accept in this critical dilemma, the dangerous and difficult office of secretary of state. In reply to this letter, lord Bute informs his *dear friend*, "that the king had determined to give the seals to lord Egremont. He declares himself sensible of the perilous nature of his own situation; but says that this only strengthens his mind, without alarming it." Lord Melcombe writes again in terms of the grossest adulation: the insolence of the city," he says, "is intolerable: they must and they easily may be taught better manners. I was bred a monarchy man, and will die so; and I do not understand that men of that rank are to demand rea-

to the ambassador lord Bristol, that it was highly expedient the court of Spain should in the present moment be apprized of the sentiments of that of Great Britain, and that the king of England had nothing more at heart than to cultivate the most cordial friendship of his Catholic majesty; but that his Britannic majesty could not imagine that the king of Spain should think it unreasonable to desire a communication of the treaty acknowledged to have been lately concluded between the courts of Madrid and Versailles, or of such articles thereof as can by particular and explicit engagements immediately relate to the interests of Great Britain, before he

sons of measures whilst they are under his majesty's consideration. As to you, my dear lord, I am sure you may laugh at them, and know, that the moment they are threatened with the *king's displeasure*, those that were at your throat will be at your feet." The plain meaning of all this is, that it is intolerable insolence and presumption for the citizens of London, or, of course, for the good people of England at large, to pretend to discuss matters of state, or to entertain any opinion in politics at all, or at least any opinion different from that of the king and of the court; and that all such seditious and anti-monarchical practices may with ease be quelled by holding informations and indictments *in terrorem* over the heads of the obstinate and refractory, as the signs and tokens of his majesty's *displeasure*. Such were the doctrines inculcated by this fawning parasite, and such the sentiments by which he hoped and expected to recommend himself to the favor of *the* MAN *whom the king delighted to honor*.

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enters into further negotiation on the points depending between the two crowns; and the ambassador is instructed to use the most pressing instances to M. Wall, to obtain such communication as is above mentioned. The ambassador is further assured, that the resignation of Mr. Pitt will only animate the present ministry to a more vigorous exertion of their powers, and that the most perfect harmony, unanimity and confidence now reign in his majesty's councils. This dispatch being written with a view to a confidential communication of its contents to the Spanish minister, the ambassador is informed in a separate and "most secret" letter, that if the court of Spain should propose to give his majesty solemn assurances of the innocence of the treaty in question in relation to the interests of England, he is not totally to reject the alternative, but to take it *in referendum*; provided always that the said assurances be given upon his Catholic majesty's royal word, signified in writing either by the Spanish secretary of state M. Wall, or by the count de Fuentes, the Spanish minister in London, to his Britannic majesty's secretary of state, and NOT OTHERWISE. The earl of Bristol, in a letter written to the earl of Egremont, dated November the 2d, remarks the sudden alteration of behaviour in the Spanish minister, and the haughty language now held

by the court of Madrid; general Wall declaring with uncommon warmth, that we were intoxicated with our successes, and that it was evident, by our refusal of the duc de Choiseul's proposals, that we aimed first to ruin the French power, in order more easily afterwards to crush Spain, and, by seizing the Spanish dominions in America, to satisfy to the utmost our ambition and unbounded thirst of conquest. He himself, he said with passionate emphasis, would be the man to advise the king of Spain, since his dominions were to be overwhelmed, at least to have them seized with arms in his subjects' hands, and not to continue the passive victim he had hitherto appeared to be in the eyes of the world. It was time, he affirmed, for Spain to open her eyes, and not to suffer an ally, a neighbour, and a friend, to receive the rigid laws imposed by an insulting victor. For this purpose he acknowledged, in reply to the requisitions of the English ambassador respecting the purport of the late treaty, that his Catholic majesty had judged it expedient to renew his "family compacts" with the most Christian king. BOOK XIII. 1761.

This sudden alteration of language and of conduct, the ambassador ascribed to the intelligence just received by the court of Madrid, of the proposition made by Mr. Pitt, and recently discussed in the British cabinet, of an immediate

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declaration of war against Spain—a measure totally unexpected, and by which Spain, who conceived herself to be the injured party, was filled with indignation and astonishment. But the offence now given was not thought entitled to any political indulgence; and lord Bristol, in the subsequent dispatch of lord Egremont, was expressly commanded, in the name of his Britannic majesty, to demand of the Spanish minister an immediate, clear and categorical answer to the question before stated; and to accompany this demand with an assurance, that any procrastination, ambiguity, or evasion, will be considered as ample and sufficient ground for authorizing his majesty to take such steps as his royal wisdom shall dictate for the honor of his crown, and the security of his people. At the same time the ambassador is, with ludicrous inconsistency, charged not to use any *harshness of language* which can have the *least tendency* to indispose or irritate the Spanish court, or the minister M. Wall—as if the language prescribed to the ambassador could possibly fail to produce that effect on the Castilian pride—but, in case the satisfaction required was delayed or refused, his excellency the ambassador was ordered forthwith to quit Madrid without taking leave, and repair with all convenient speed to Lisbon. About the same time that the above dispatch was trans-

mitted by lord Egremont to the earl of Bristol, a letter was written to his lordship by the ambassador, in which he states, that general Wall had recovered his usual temper; and that after an amicable discussion of the points in dispute, enforced by long and dispassionate reasonings, they had parted with reciprocal protestations of their earnest desire to continue in peace; and a copy of the king's speech to the new parliament arriving about this period, the Spanish minister highly applauded the candor and moderation displayed throughout the whole; assuring at the same time the English ambassador, that he expected shortly to receive the Catholic king's commands to acquaint him with the resolutions of Spain relative to his applications. But these flattering appearances entirely vanished, when, in compliance with the express instructions of the English court, the ambassador in peremptory terms demanded the categorical answer required in the last letter of the earl of Egremont, declaring, in conformity to the orders he had received, that a refusal, and even a delay, of satisfaction, would be deemed an aggression on the part of the court of Madrid, and regarded in no other light than as an absolute declaration of war. "I cannot," says the earl of Bristol in his official dispatch, "describe the surprize M. Wall expressed at

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hearing this: he only brought out these words, 'What is to follow? You have then orders to withdraw from hence?' Upon the ambassador's acknowledgment that such were his instructions, general Wall desired him, for greater precision, to put in writing what he was ordered to demand; and, repairing to the palace of the Buen Retiro, he returned, after a short interval, an answer from his Catholic majesty, in which the ambassador is told, "that the spirit of haughtiness and discord which dictated this inconsiderate step, and which, for the misfortune of mankind, still reigns so much in the British government, is what made in the same instant the declaration of war and attacked the king's dignity: your excellency may think of retiring when and in the manner convenient to you; which is the only answer his majesty has directed me to give." Orders were sent from Madrid to the count de Fuentes instantly to leave the court and kingdom of England, delivering first a memorial to the ministers of the king of England, in which the war that the Spanish and English nations were about to plunge into, is attributed to the pride and immeasurable ambition of him who lately held the reins of government in Great Britain. "If," said the memorial, "his Catholic majesty excused himself from making the explanations required, it was

to manifest his just resentment of the insulting manner in which the affairs of Spain have been treated during Mr. Pitt's administration, who, when the justice of his Catholic majesty's claims had been incontrovertibly proved, gave as his final answer, that he would not relax in any thing till the Tower of London was taken sword in hand. If the respect due to royal majesty had been regarded, explanations, it was affirmed, might have been had without difficulty. The ministers of Spain might have said frankly to those of England, what the count de Fuentes by the king's express orders declares publicly: that the said treaty is only a convention between the family of Bourbon, wherein is nothing which has the least relation to the present war: that there is in it an article for the mutual guarantee of the dominions of the two sovereigns, but it is specified therein, that this guarantee is not to be understood but of the dominions which shall remain to France after the present war shall be ended: that although his Catholic majesty might have had reason to think himself offended by the irregular manner in which the memorial for terminating the differences between Spain and England at the same time with the war betwixt this last and France, was returned to M. Bussy, the king of Spain dissembled, and from his love of peace caused a memorial to be

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delivered to lord Bristol, wherein it is evidently demonstrated, that the step of France which put the minister Pitt into so bad humor, did not at all offend either the laws of neutrality, or the sincerity of the two sovereigns: that, as a fresh proof of his pacific spirit, the king of Spain wrote to the king of France his cousin, that if the union of interest in any manner retarded the peace with England, he consented to separate himself from it, not to put any obstacle to so great a happiness. But it was soon seen this was only a pretence on the part of the English minister: for that of France continuing his negotiations without making any mention of Spain, and proposing conditions very advantageous and honorable for England, the minister Pitt, to the great astonishment of the universe, rejected them with disdain, and showed at the same time his ill-will against Spain, to the scandal of the same British council; and unfortunately he has succeeded but too far in his pernicious design." This memorial served to demonstrate the superior sagacity of lord Bristol, who declared, in the course of this negotiation, his firm belief that the treaty in question contained no article injurious to the interests of England, although the preposterous pride of the Spanish court prevented any positive or satisfactory assurance being given on this head;

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and the two nations, from an obstinate adherence to a false and foolish punctilio of honor, found themselves at length involved in a war, which they equally and anxiously wished to avoid. 1761.

The preparations made for conducting the war against the united force of the house of Bourbon with vigor and effect, showed that the spirit of Mr. Pitt, against whom rather than the king of Great Britain the declaration of the king of Spain seemed to be directed, still influenced and animated the public councils. The grand machine of government, once put into motion, continued for a time its progress with the same force and velocity as if still guided by the powerful hand which first urged it into action. Letters of marque were issued and commissions granted for privateers to act against the subjects of his Catholic majesty; and at length, on the 4th of January, 1762, war was declared against Spain with the accustomed formalities. 1762.

Session of parliament. Sir John Cust chosen speaker.

The new parliament had been convened in the preceding month of November, and had chosen sir John Cust, baronet, for their speaker; a man not unworthy, from his extensive knowledge and distinguished probity, to fill the chair vacated by Mr. Onslow. The choice being approved by the king, the session was opened by

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a well-composed speech from the throne, in which his majesty expressed "his regret at the unsuccessful termination of the late negotiation for peace, and his resolution to prosecute the war in the most effectual manner, till the enemies of Great Britain, moved by their own losses, and touched with the miseries of so many nations, shall yield to the equitable conditions of an honorable peace." Very loyal addresses were returned. About 240,000 seamen, landmen, and marines, including the German mercenaries, were voted for the service of the year; and twelve millions borrowed to make up the deficiency of the regular means of supply. A jointure of 100,000*l.* per annum was settled on the queen, with the palaces of Richmond Old Park and Somerset House; and after passing a variety of acts not distinguished for their peculiar merit or importance, the parliament was prorogued June 2, 1762.

Martinico captured.

Towards the conclusion of the preceding year, a plan had been formed for the conquest of the important island of Martinico, the principal of the French Caribbee islands, and the residence of the governor-general and council, whose jurisdiction extends over all the French Antilles. This island is about 130 miles in circumference; and though the climate is sultry, the soil is fertile, and the country plea-

santly diversified with hill and dale, shaded with thick woods, and watered with numerous streams. Its produce consists of sugar, indigo, coffee, cotton, ginger, aloes, and pimento; so that, with the exception of St. Domingo, it was at this period accounted the most populous and flourishing colony belonging to France in America. The armament destined for this expedition consisted of 18 ships of the line, and as many battalions of troops, under general Monckton and admiral sir George Rodney, who, rendezvousing at Barbadoes, proceeded early in the month of January 1762 to Martinico; and on the 16th landed, after silencing the batteries erected on the coast in the vicinity of the town of Fort Royal, defended by a strong citadel and various military works erected on the Morne Tortueson and the Morne Garnier, neighbouring heights which commanded the town. These were soon forced by the intrepidity of the English troops, which on no occasion displayed itself more conspicuously than in the attack of this island. On the 4th of February the commandant of the citadel ordered the chamade to be beat, and the garrison was permitted to march out with the honors of war. But the governor-general, M. de la Touche, retreated to the strong fortress of St. Pierre, situated to the leeward of Fort Royal, which he at first

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seemed disposed to defend with vigor; but on the 14th deputies arrived with proposals of capitulation for the whole island, and this important conquest was achieved with inconsiderable loss. In the mean time commodore Swanton was detached from the fleet with a force sufficient for the reduction of the island of Grenada and the Grenadines, which submitted without resistance, and proved in the hands of the English a very valuable acquisition. At the same time the English took possession of the islands of St. Lucia, Tobago, and St. Vincent, which, though declared neutral by former treaties, had been for some time occupied by the French.

Spain, who meant certainly nothing further than, by the weight of her influence and too partial mediation, to procure for France more favorable terms of accommodation than were otherwise obtainable, found herself unexpectedly engaged as a principal in the war, for which she was extremely unprepared. The marine of France, by repeated defeats, was broken, and almost ruined; whilst the numerous fleets of Britain seemed to cover the ocean, and rode triumphant from the Ganges to the Mississippi, from the rising to the setting sun. The naval power of Spain was utterly unable to cope with this prodigious force. In one quarter only could England be considered as vulnerable. By an at-

tack on Portugal, a kingdom in close alliance with Great Britain, very open to invasion, feeble, opulent, defenceless, Spain might reasonably hope fully to indemnify herself for any losses she might elsewhere sustain. The military and heroic spirit by which the Portuguese nation had been formerly characterized, was now no more; her privileged orders were sunk in luxury; her people in sloth, ignorance, and bigotry; her troops were destitute of discipline, her fortresses of artillery and ammunition. The recent destruction of her capital, the mysterious conspiracy against the life of the monarch, the consequent execution of her most distinguished and popular nobles, the forcible expulsion of the jesuits, and the entire alienation of the court of Lisbon from the see of Rome: all these causes, conjoined, had filled the kingdom with confusion and discontent. In this situation it was doubtless imagined that Portugal would fall an easy prey to the arms of Spain; and great military preparations were made, and a large body of forces assembled on the frontiers of that kingdom.

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On the 16th of March, 1762, a joint memorial was presented by the ambassadors of France and Spain at the court of Lisbon, "inviting the king of Portugal to renounce his connexion with Great Britain, and engage in the offensive and defensive alliance which they had formed

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against that insolent and dangerous power." The Catholic king, professing "the most cordial attachment to the interests of his most Faithful majesty, to whom he was so nearly allied, insisted that the English subjects resident in Portugal should be compelled to depart the kingdom, and the English shipping no longer be allowed shelter in her ports; declaring, that he should immediately occupy with his troops the fortresses and maritime places belonging to his most Faithful majesty, to protect them from the resentment of England." To this extraordinary requisition the ambassadors of the two courts demanded a categorical answer in four days. The king of Portugal replied, in very moderate and conciliatory language, "That he was sincerely disposed to act as mediator in compromising the present differences, but that the unfortunate state of his kingdom would not allow him, were he so inclined, to engage as a principal in the war; that the honor of his crown, and the faith of solemn treaties, would not permit him to abandon the alliance of England; and that he was determined to observe a strict neutrality, making those preparations only which were necessary for his own defence."

In a second memorial, dated April 1, the confederate powers declared, in a tone still more imperious, "That his most Faithful majesty's

alliance with England became in effect an offensive alliance, from the situation of the Portuguese dominions, and the nature of the English power; that the British squadrons could not keep the sea without the use of the ports of his most Faithful majesty; that the riches of Portugal passed into the hands of the English; and they again invited him, since the differences between the crowns of Spain and Portugal, which had laid the foundation of the alliance with England, had been long since happily accommodated, to abandon that alliance, and enter into a strict league of friendship with their Christian and Catholic majesties." The king of Portugal persisting in his refusal of these overtures, the ambassadors of the two courts, after the delivery of a third memorial, still more insolent and insulting than the former, were ordered to leave the kingdom *. 1762.

* The political and moral reflections of the king of Prussia, in speaking of this procedure of the kings of France and Spain respecting Portugal, must be acknowledged very edifying; and it is unfortunate that the same mode of reasoning did not happen to occur to him previous to his successive invasions of Silesia, Saxony, and Poland. "Pourquoi," says the royal historian, "attaquer le roi de Portugal, qui n'avoit offensé personne? sur le royaume duquel ni l'Espagne ni la France n'avoient des droits? C'étoit le commerce lucratif que l'Angleterre faisoit en Portugal que la France vouloit ruiner. D'ailleurs elle étoit persuadée que les Anglois auroient rendu la meilleure partie de leur conquêtes pour faire restituer

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War declared by Spain against Portugal.

On the 23d of May, 1762, war was declared by Spain against Portugal, the Spanish army having already passed the frontier. His most Faithful majesty having made previous and urgent solicitation to the court of London for assistance, it was determined to grant him the most speedy and efficacious succor, by the embarkation of a large body of troops under lord Tyrawley, a veteran officer, who had formerly resided with high reputation as ambassador at the court of Lisbon, and who now united the different characters of plenipotentiary and general. The king of Portugal had conferred, at the recommendation of the king of England, the supreme command of his armies on the famous count de la Lippe-Buckebourg, master-general of the artillery under prince Ferdinand of Brunswic; a man whose military talents were of the highest class, and who possessed all the heroic and romantic qualities which distinguished and adorned the ages of chivalry. Lord Tyrawley returning soon to England, perhaps in disgust at this superior appointment, the command of the English auxiliaries devolved on the earl of Loudon, under whom served the generals Burgoyne, Crawford,

ce royaume au roi de Portugal. Mais est-ce une raison pour attaquer un souverain qui n'en donne aucune raison légitime? O droit public, que ton étude est vain et inutile!"—*Histoire de la Guerre de Sept Ans.*

Townshend, and other officers of distinguished merit and reputation. BOOK XIII.

In the beginning of May, 1762, the Spanish army, under the marquis de Sarria, passed the Douro, and invested the important city of Miranda. Unfortunately, at the very commencement of the siege, before the parallels were formed, or the batteries planted, the grand magazine of the fortress, taking fire by accident, blew up with a tremendous explosion, occasioning the loss of near 500 lives, and making moreover two large and practicable breaches in the walls. In consequence of this misfortune, the city was immediately given up, and the garrison made prisoners of war. Braganza was next attacked; and such was the consternation of the Portuguese, that the keys of the town were presented without any attempt at resistance to the Spanish commander. The city of Chaves, though provided with all the means of defence, was surprized at the same time by a separate detachment under count O'Reilly. The southern army, commanded by the count d'Aranda, being joined by 8000 French auxiliaries, entered the province of Estremadura, and opened the trenches before Almeida in July: after a much better defence than had hitherto been made, that city was compelled to capitulate on the 25th of August. On the arrival of the count de 1762. Military operations in that kingdom.

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la Lippe, Lisbon the metropolis, and Oporto the second city of the kingdom, were exposed to imminent danger. But that general, knowing the most effectual mode of waging a defensive war to be the converting it as far as possible into an offensive one, determined to carry the arms of Portugal into the kingdom of Spain. An enterprise against the city of Alcantara, where considerable magazines were forming, was resolved upon, and brigadier-general Burgoyne was appointed to the command of the entire force collected for this purpose. This officer, passing the Tagus at midnight, reached Alcantara at the dawn of day, and, attacking with great resolution the enemy posted in the vicinity, and unsuspicious of danger, totally routed them with very considerable loss. A great quantity of arms and ammunition fell into the hands of the victors. Amongst the prisoners was the Spanish major-general Don Miguel d'Iruniberri, who was preparing for an expedition into the Portuguese province of Alentejo. The count d'Aranda, having reduced, after the surrender of Almeida, the fortresses of Castel Rodrigo and Castel Branco, attempted to force a passage through the mountains, intending to cross the Tagus at Villa Velha, a post defended by general Burgoyne, who lay encamped on the southern bank of the river. The old Moorish

castle of Villa Velha, on the northern bank, though gallantly defended, was at length compelled to surrender, and the passes of the mountains gained. But the enemy having weakened their force at Villa Velha, in order to pursue their advantage in the opposite quarter, general Burgoyne ordered a detachment under lieutenant-colonel Lee to ford the Tagus in the night, and attack the Spaniards in their camp. This enterprise was executed with equal spirit and success. A great number of the Spanish officers were slain in attempting to rally their troops; their cannon were spiked, their magazines destroyed, and much valuable plunder became the property of the assailants. The Spaniards being repeatedly foiled in their design of passing the Tagus, by the skill and vigilance of the commander, count de la Lippe, and embarrassed also in their operations by the heavy rains which fell at this period, at length repassed the mountains, and entirely evacuated the province of Estremadura, first dismantling the fortifications of Almeida and Castel Rodrigo.

Havannah conquered.

No sooner was war declared by England against Spain, than preparations began to be made for a grand but as yet unknown enterprise; and, in the beginning of March, 1762, a very powerful armament sailed from Portsmouth, under the conduct of admiral sir George Po-

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cocke, the earl of Albemarle commanding the land forces on board. At the beginning of June they arrived off the island of Cuba, and the troops were landed six miles to the eastward of the Havannah, a city of the utmost importance to the security and almost the existence of the Spanish empire in America, as being the port where the galleons and flota loaded with the riches of Mexico and Peru constantly rendezvoused on their return to Spain, and from its situation absolutely commanding the only commodious passage by which these ships could sail from the bay of Mexico to Europe; the windward passage, by Carthagena, not being practicable without infinite trouble, loss of time, and danger from an enemy who is decidedly superior at sea. This city was protected, exclusive of other works, by a very strong castle called the Moro, against which the principal attack of the earl of Albemarle was directed. It was however bravely defended by the Spanish governor Don Lewis de Velasco; and the siege being protracted beyond expectation, sickness began to make its ravages amongst the besiegers. On the 30th of July, therefore, although the breaches made were deemed scarcely practicable, an assault was determined upon, and the troops, mounting with the utmost intrepidity, drove the enemy from the ramparts; and, after a short but fierce

and bloody conflict, the Spaniards were compelled to lay down their arms and petition for quarter. Don Velasco, animated with all the genuine Castilian heroism, fell by a promiscuous shot, whilst inciting his troops, both by his exhortation and example, to support the glory of the Spanish arms. Notwithstanding the conquest of the Moro, the city held out till the 13th of August, when the governor capitulated, on condition of being allowed to march out with all the honors of war, and to have, with his whole garrison, a free and unmolested conveyance to Spain. In the capitulation were included twelve line-of-battle ships then lying in the harbour of the Havannah; great quantities of ammunition and warlike stores likewise fell into the hands of the victors, who found in the city prodigious quantities of merchandize of various kinds, and an immense treasure in specie. This therefore was a blow, which, at the very commencement of the war, struck deep into the vitals of the Spanish power.

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No sooner was the intelligence of the Spanish war conveyed to the East Indies, than an armament speedily equipped, under the conduct of admiral Cornish and sir William Draper, sailed from Madras, destined against Luconia, the principal of the Philippine islands, of which the chief city is Manilla, whence two large ships are

Manilla taken.

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sent annually across the Pacific Ocean to Acapulco, on the coast of Mexico, laden with the spices, silks, and other precious products of India. On the 23d of September, 1762, the whole armament, having on board a land force, including lascars, sepoys, and other irregular troops, amounting to about two thousand five hundred men, anchored in the bay of Manilla, where they excited great and general alarm. After effecting a landing with little loss, the city was summoned to surrender; but the marquis de Villa Medina, the governor, returned a resolute refusal. The English were far from being in a condition to form a complete investment of the city, which was of great extent and strongly fortified. The quarter which the general determined to attack was defended by the bastions of St. Diego and St. Andrew, a ravelin, a wet fossé thirty yards in breadth, a covered way, and a glacis. At the beginning of October the weather grew very stormy and tempestuous; notwithstanding which the besiegers carried on their works with unintermitted ardor. A furious sally was on the 4th made from the town before day-break, in which the regular troops of the forts were reinforced by a strong body of the native Indians, armed only with bows and lances, who fought with astonishing perseverance, advancing to the very muzzles of the English mus-

quets, and with wild and savage ferocity biting the bayonets even in the agonies of death. They were finally repulsed with great loss; and, the works being by this time much damaged, a resolution was taken to storm the town. BOOK XIII. 1762.

Though no offer of capitulation had been made, the garrison seemed ill prepared to sustain an assault; and the English penetrated into the very centre of the city with little opposition. The governor retiring into the citadel, the town was exposed for some hours to all the horrors of a general pillage. At length, the citadel being in no condition of defence, the marquis de Villa Medina, the archbishop of Manilla, and the officers of the garrison, surrendered themselves prisoners of war; at the same time proposing a capitulation to save the city from total destruction. After some discussion, a ransom of four millions of dollars was offered, and accepted. The port and citadel of Cavite, with the islands and fortresses depending on the government of Manilla, being included in the capitulation, the whole force of the English scarcely sufficed to garrison their conquests.

Intelligence being received of the expected arrival of an Acapulco ship, the admiral sent the Panther and Argo ships of war in quest of her, who fell in with the Santa Trinidada, bound for Mexico, pierced for sixty guns, with merchandize

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on board to the amount of three millions of dollars. This was not the only register-ship taken in the course of this war from the Spaniards, the St. Hermione, from Lima to Cadiz, being captured by two British frigates cruizing off Cape St. Vincent. Her cargo was estimated at one million sterling, being supposed the richest prize ever brought into the harbours of Britain.

Amongst the military and naval achievements of the present year, it may be proper transiently to notice the recovery of the town and fort of St. John, in the island of Newfoundland (some months before surprized and surrendered to the French), by lord Colville and colonel Amherst, who, sailing from the harbour of Halifax, by their spirited exertions anticipated the effect of an armament fitted out expressly for this purpose at Portsmouth.

It will now be proper to resume the long neglected narration of the civil and domestic transactions of Great Britain. On the resignation of Mr. Pitt, the entire direction of affairs was vested in the earl of Bute, who enjoyed the favor, affection, and confidence of the sovereign, in a degree which no minister since the earl of Clarendon in the zenith of his power had possessed. He had not, however, as yet attained the summit of his ambition. The duke of Newcastle still held the high and pre-eminent office of first com-

missioner of the treasury; but this post the FAVORITE now thought he might safely assume. The duke of Newcastle, therefore, at the latter end of May 1762, the session of parliament being nearly closed, received an intimation that his resignation was expected. His grace was informed, that the king purposed, in consideration of his past services, to grant him an ample and adequate pension. But the duke, whose generosity bordered upon negligence and profusion, nobly replied, "that if he could no longer be permitted to serve his country, he was at least determined not to be a burden to it."

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Earl of Bute first minister.

Resignation of the duke of Newcastle.

The dismission of this nobleman, who had been ever distinguished for the zeal and fidelity of his attachment to the house of Hanover, and who had impaired his fortune and devoted his life to the support of that cause in which he had been from his early youth engaged, excited extreme indignation in the breasts of the whole whig party, amongst whom his steadiness, affability and disinterestedness made him, notwithstanding the mediocrity of his talents, exceedingly popular. It was thought a complication of levity and ingratitude thus to discard an old and faithful servant, who in the course of nature could not be expected long to trouble any competitor; and it discovered such an impatience in the new minister to engross an absolute monopoly of power, as gave countenance to

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suspicions of deep and dangerous designs. The duke, who had been treated with a flattering degree of personal attention, or at least with a respectful decorum and civility, so long as his name was deemed necessary by the projectors of the new system, appeared himself highly to resent the rude and compulsive mode of his dismission; and he hesitated not again to connect himself with Mr. Pitt, for many years his alternate rival and associate; with whom he had never indeed entered into any very cordial alliance, but their mutual animosity against the earl of Bute now formed a new bond of amity and concord between them.

The duke of Devonshire, soon after the removal of the duke of Newcastle, unable to brook the marked and contemptuous neglect which he experienced, resigned indignantly his office of lord chamberlain, and was by the king's own hand struck out of the list of the privy council. The earl of Hardwicke retired in disgust; and the duke of Grafton, lord Ravensworth, and lord Ashburnham, with several other noblemen of high distinction, now ranged themselves on the side of the opposition. Lord Anson was succeeded at this period in the admiralty by the earl of Halifax, recently returned from the government of Ireland, in which he was succeeded by the duke of Northumberland; and Mr. George Grenville was advanced to the se-

cretaryship vacated by the earl of Bute. But in a short time this order of things was reversed: lord Halifax took the seals, and Mr. Grenville was placed at the head of the admiralty. No political conflict however could take place before the ensuing winter, and the summer months passed over in angry and ineffectual discontent. BOOK XIII. 1762.

On the 12th of August, a day auspicious to the house of Brunswic, as the æra of its accession to the throne of Great Britain—auspicious also to the kingdom at large, whilst the principles of liberty civil and religious, on which that accession was founded, continue to be the rule of their government—the nation was gladdened by the birth of a prince of Wales, whose aim, whose study, and whose pride may it be to establish, extend, and improve that free and happy constitution of which he is the hereditary guardian and defender! Birth of the prince of Wales.

The first and greatest object of the new minister, now honored, by a flattering association with the duke of York, first prince of the blood, with the Order of the Garter, after his open assumption of the office and authority of premier, was the restoration of peace; a laudable and noble design, but attended with very considerable difficulty. The majority of the nation, elated or rather intoxicated with success, were eager for the continuance of the war, in the san-

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guine hope of new victories. Already grasping in their golden dreams the treasures of Mexico and Peru, they appeared wholly regardless of the immense sums annually added to the national debt, and of the oppressive taxes necessarily imposed for discharging the interest of the successive loans, not reflecting that every rational purpose of the war had been long since obtained, and that additional conquests were in fact only additional incumbrances.

Exclusive of this prevailing and popular folly, the premier had given extreme disgust by the general tenor of his conduct, proud, artful, and selfish; and by the indecent and precipitate measures which he adopted to expel all the members of the late administration from their posts, and to intrude himself and his partizans into all the efficient and responsible offices of government.

A powerful party, composed of men the most distinguished for rank, influence, and ability, was now formed in opposition to the minister; and this opposition was openly countenanced by the duke of Cumberland, uncle to the king, who had never connected himself with the tory or country party in opposition to the court in the late reign, and who had imbibed the whig principles and prejudices in their full extent. Upon whatever terms the peace might be con-

cluded, it was not to be imagined that satisfaction could be given to the political antagonists of the minister, who would not fail to represent it as inadequate to the successes of the war, if not inconsistent with the interest, and disgraceful to the reputation of England.

These considerations did not, however, deter the minister from causing secret intimations to be given, that the revival of the ineffectual negotiation of the last year would be not unacceptable; and the king of Sardinia was solicited to offer his mediation for this purpose. The court of Versailles readily embracing the overtures now made by England, the duc de Nivernois arrived in London in the month of September, invested with the character of ambassador extraordinary and plenipotentiary to the king of Great Britain; and the duke of Bedford, a nobleman distinguished for honor and probity, and who had successively occupied the high offices of secretary of state, first lord of the admiralty, lord privy seal, and lord lieutenant of Ireland, was delegated in the same capacity, invested with the same diplomatic distinctions, to the court of France. And the negotiators being actuated by a mutual anxiety for the re-establishment of peace, preliminaries were signed and interchanged at Fontainebleau, in the beginning of November 1762, between the minis-

Peace signed at Fontainebleau.

BOOK XIII. ters of Great Britain, France, Spain, and Portugal.

1762. On the 25th of November the parliament was convened; and the king, in his speech from the throne, informed the two houses, "that the preliminary articles were actually signed, on terms which he represented as very advantageous to England; and he recommended that union at home, which was so necessary to the adoption of those measures which could alone relieve the nation from the heavy burdens entailed upon it by the prosecution of a long and expensive war." When the address in reply came under the consideration of the house of commons, Mr. Pitt, in a long and elaborate speech, expressed his entire disapprobation of the tenor of the treaty, which he stigmatized as impolitic, and derogatory to the honor and interests of the kingdom. He was determined, afflicted as he was with illness, at the hazard of his life, he said, to attend the house that day, to raise up his voice, his hand, and his arm against the preliminary articles of a treaty, which obscured all the glories of the war, surrendered the dearest interests of the nation, and sacrificed the public faith by an abandonment of our allies. He was answered at large by Mr. Fox, who, although he continued to occupy only the subordinate post of paymaster of the army, was, at this time,

the ablest advocate of administration in the house of commons; and, after a warm and ample discussion, the address, as proposed by the partizans of the court, passed the house by a great majority of voices.

In the house of lords the minister himself vindicated the treaty with a spirit and energy which was not expected; and he concluded his speech with declaring, "that he wished no other epitaph to be inscribed on his tomb, than that he was the adviser of the peace on the merits of which their lordships were then called upon to decide." Notwithstanding the arguments and objections of the peers in opposition, the address passed in this house also by a similar majority. And in justice to the earl of Bute, the impartiality of history will acknowledge that this famous peace, so much and so long the subject of declamation and invective, was in fact liable to no solid or serious exception. The most plausible objection to the treaty was the cession of the island of St. Lucie to France; the importance of which, from its situation and excellent harbour, seems indeed to have been better understood by the French than the English negotiators. Mr. Pitt had positively refused, in his negotiation with M. Bussy, to cede St. Lucie to France. But while politicians discussed, with scrupulous exactness, the precise value of the

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relative cessions, the philanthropist was impelled by arguments of a very different nature, to approve and applaud the terms of a treaty bearing upon the face of it great national benefit; and which put an end to the war, fatal even to the victors: which had added 80 millions to the national debt, which had cost 150,000 lives, and which had left, as a mournful memento of the vanity and folly of human glory, at least an equal number of widows and orphans to the compassionate protection of the public.

Had the minister been as indifferent to the re-establishment of the public tranquillity as his predecessor, Mr. Pitt, it is possible indeed that some further concessions of very doubtful advantage to England might have been obtained, or rather extorted, from the adverse parties; but his solicitude for the attainment of that great and desirable object, did not prevent him from discerning and adopting the necessary provisions for securing all the essential interests of Great Britain. By this treaty, the entire province of Canada was ceded and guaranteed to the English, with all that part of Louisiana which is situated to the east of the great river Mississippi, together with Cape Breton, and the other islands in the gulf and river of St. Laurence. In the West Indies, the island of Grenada, and the Grenadines, were ceded to England in full right; also

of the neutral islands, Dominique, St. Vincent, and Tobago. In Africa, Senegal, with its dependencies, is guaranteed to England. In the East Indies, his most Christian majesty acknowledges Mahomed Aly Khan as nabob of the Carnatic; and Salabat Zing, as subah of the Decan—renouncing all acquisitions made on the coast of Coromandel since the year 1749, and engaging not to erect fortifications in any part of the kingdom of Bengal. In Europe, he agrees to restore Minorca in the same condition as when conquered by the arms of the most Christian king. He consents that the harbour and fortifications of Dunkirk shall be demolished. Finally, he stipulates, that the territories belonging to the elector of Hanover, the landgrave of Hesse, &c. now occupied by the armies of France, shall be *evacuated*, together with the fortresses of Cleves, Wesel, Gueldres, &c. belonging to the king of Prussia; and the two monarchs of France and England engage not to furnish succours of any kind to their respective allies in Germany. The difficult question relative to the validity of the prizes captured before the declaration of war, is passed over in profound and discreet silence. BOOK XIII. 1762.

The king of Spain, on his part, cedes and guarantees in full right to England, the Eastern and Western Floridas, and, in general, all that Spain

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possesses on the continent of America, to the east or to the south-east of the Mississippi; in consequence of which important cession, in conjunction with that of the eastern part of Louisiana, and the entire province of Canada, an immense country, capable of unlimited improvement, and bounded by a line of demarcation the most clear and definite, was gained to the empire of Britain. His Catholic majesty also relinquishes for himself and his successors, all pretensions which he may have formed to the right of fishing on the banks of Newfoundland. He confirms and establishes for ever, the privilege or indulgence enjoyed by the English, of cutting logwood on the coast of Honduras, stipulating only, that no fortifications shall be erected upon the territorial dominions of Spain. Finally, his Catholic majesty engages entirely, on the exchange of the ratifications of the treaty, to evacuate all the lands, cities, and castles, belonging to his most Faithful majesty, in the same condition they were in when conquered by the arms of Spain.

In return for these great and important cessions, Great Britain engages to restore to France, in Europe, the island of Belleisle; in Africa, the island of Goree; in the West Indies, the islands of Guadaloupe, Martinique, and St. Lucie; in the East Indies, Pondicherri and Chandernagore. The right of France to fish on

the banks of Newfoundland is recognized, and the small islands of St. Pierre and Miquelon are ceded as a shelter for the fishermen. The fortress of the Havannah, and the other acquisitions of England, without reserve, including the recent, and, as yet, unascertained conquest of the Manillas, are restored to Spain. 1762.

A great obstacle to the conclusion of the treaty had been removed, by the alteration which had taken place in the politics of England respecting the king of Prussia, and in the beneficial change in the situation of that monarch, who had now concluded a peace with Russia and Sweden, and to whom notice had been already given, that the annual subsidy treaty would be no more renewed. The territories of Prussia, occupied by the French, being evacuated, that monarch had, however, upon the face of the treaty of Fontainebleau, no just ground of complaint, his native forces being equal to his own defence against the house of Austria; or, if it were not, England was under no obligation farther to exhaust her treasures in order to defend him. Both parties being, however, weary of a war which had been so long continued with alternate loss and advantage, they soon came to terms of accommodation *.

* If, however, the testimony of the king of Prussia may be confided in, that monarch had great reason to complain of

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Although the peace of Fontainebleau was almost universally unpopular in the nation at

what he styles the "odious" conduct of the English court, from the æra that lord Bute's influence began to predominate. It must indeed be acknowledged, that England, by her alliance with Prussia, was placed in circumstances so embarrassing, that it was very difficult, or, to speak the truth, wholly impracticable, at once to consult the interests and to maintain the honor of the kingdom. To continue the war for the sole purpose of compelling France to RESTORE Cleves, Wesel, and Gueldres, to the king of Prussia—a condition to which France, equally perplexed by her engagements with the court of Vienna, could not, without extreme disgrace, submit—would, on the part of England, have been carrying the point of honor to a degree of romantic extravagance. On the other hand, entirely to abandon the interests of the king of Prussia, with the cold unfeeling apathy of lord Bute, which the warmth of resentment expressed in the remonstrances of the court of Berlin seems at length to have converted into absolute malignity, can never be reconciled to our ideas of good faith, and much less to any sentiment of national dignity and generosity.

The king of Prussia, in evident allusion and intentional contrast to the character of the reigning monarch, says of the late king George II.—" Il termina son regne glorieux par une mort douce et prompte. Ce prince, entr'autres bonnes qualités, avoit une fermeté héroique, *qui faisoit que ses alliés pouvoient prendre une confiance entière en sa personne.*" Speaking of the state of affairs on the consequent accession of the new monarch, he says, " Deux hommes se trouvoient à la tête de ce gouvernement. L'un étoit Pitt; il avoit l'ame élevée, un esprit capable de grands projets, de la fermeté dans l'exé-

large, the decided approbation of the parliament seemed to ensure the permanency of the mini- BOOK XIII. 1762.

cution, un attachement inflexible à ses opinions, parcequ'il les croyoit avantageuses à sa patrie, qu'il aimoit. L'autre c'étoit Bute; il avoit été gouverneur du Roi. Plus ambitieux qu'habile, il vouloit dominer à *l'ombre de l'autorité souveraine.*" After Mr. Pitt, finding the absolute ascendant acquired by his antagonist, had retired from court, to use the expression of the royal historian, "plein d'indignation," the minister Bute not only refused to renew the subsidy, but actually made propositions to the emperor Peter the Third, through the medium of prince Gallitzin, to prevent his concluding a separate peace with Prussia. The emperor sent a copy of prince Gallitzin's dispatch to the king of Prussia, in order that he might be apprised of the *treachery* of the English court. Lord Bute also made secret advances to the court of Vienna, offering very liberally the spoils of Prussia to the empress queen, in case she was disposed to come to an accommodation; but prince Kaunitz, in the name of the empress, declared, "that she would accept of no peace of which England was the mediatrix." The English minister had, as the king of Prussia affirms, no *scruple* to permit France to keep possession of the countries of Cleves, Wesel, and Gueldres, though it was at length agreed that they should be *evacuated*; after which, as lord Bute hesitated not to express himself in the house of peers, "they were to be *scrambled* for." And on the signing of the preliminaries, large bodies of Austrians and Prussians were actually beginning their march to the Westphalian frontier, in order to dispute the possession. But France, alarmed at the idea of a war in the Low Countries, thought proper to assent to the *restoration* of these territories, on condition that Prussia should agree to

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ster's power; and the real intrinsic merits of the treaty, with the beneficial consequences necessarily resulting from the restoration of peace, might reasonably be supposed gradually to conciliate the minds of the public. But other causes of dissatisfaction soon arose, which heightened almost to phrenzy the popular odium against the minister and the court, and converted the national ebullitions of discontent into a tempest of faction, which most alarmingly agitated, and in the progress of its fury, seemed at one period to threaten scarcely less than the absolute wreck and destruction of the *political vessel* *.

sign a treaty of neutrality for the Netherlands. But, before this neutrality could take effect, the treaty of Hubertsburg was concluded. The change of ministers and councils which took place at the accession of the present king, excited scarcely less astonishment abroad than the dismission of the famous whig administration of queen Anne half a century before.—Vide *Ouvres du Roi de Prusse.*

* In comparing the brilliant and auspicious commencement of the reign of the present monarch with the dark and dreadful scenes which ensued (and, it is painful to add, with those which at a much more advanced period seem yet impending), the imagination is led forcibly to advert to the sublime symbolical representations introduced by a poet of the highest order, Mr. Gray, into his celebrated ode of *The Bard*, in allusion to the catastrophe terminating the reign of Richard II. in the splendor of its opening dawn, and its subsequent *fatal indiscretions*, bearing no very distant analogy to the present.

In the course of the session it was found necessary, the increasing expence of the war having left an immense arrear of debt, to negotiate a new loan to a very large amount; for discharging the interest of which, amongst other taxes, a duty was moved by the chancellor of the exchequer, of four shillings upon every hogshead of cider, to be paid by the maker, and with certain qualifications subjected to all the laws of excise. No sooner was this most unpopular, and therefore most imprudent, proposition brought forward, than the opposition, eager and joyful to embrace so inviting an opportunity of attack, opened all their batteries against it. Certain of the support and concurrence of the nation at large, they inveighed with great plausibility and vehemence against this extension of a system reprobated as oppressive, arbitrary, and odious. The arguments by which the nation had been so much inflamed thirty years before, at the period when sir Robert Walpole attempted to carry into effect his famous project, were now revived, and anew enforced. "Under this act,"

BOOK XIII. 1762. Cider tax.

Fair laughs the morn, and soft the zephyr blows;
While proudly riding o'er the azure realm
In gallant trim the gilded vessel goes;
Youth at the prow, and Pleasure at the helm;
Regardless of the sweeping whirlwind's sway,
That hush'd in grim repose expects his evening prey.

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said a patriotic member of the house of commons, Mr. Hartley, "the exciseman is to be armed with unlimited powers of research from the barn without to the closet within; with an alternative offered to each person thus visited, of escaping all this vexation upon a certain composition for the duty. Now because there is an alternative offered, this is said to be a law formed upon the principles of liberty: for no man is *forced* under this excise. The law only compels him, under intolerable pains and penalties, to a voluntary payment. I wish some clear-sighted man would explain to me the difference between these two cases: the ministry send me notice that I shall have a troop of excisemen or a troop of horse, no matter which, quartered upon me; and in a postscript they subjoin, that a troop of horse is but, as the gentlemen of the long robe say, *a fiction in law*; and if I will pay the sum specified per head for my family, I shall hear no more of the excisemen or the troop of horse—*till the next time.*"

The clamor against the cider bill became loud and general; and the city of London presented, at the bar of the house of commons, a petition against it. The bill, nevertheless, passed both houses by considerable majorities, though in the house of lords 43 peers divided, and two protests were signed against it. When it lay ready for the royal sanction, the city of

London, rather to express its detestation of the bill than from any hope of success, petitioned the crown to refuse its assent. In the cider counties the abhorrence of the measure was so general, that it was found very difficult to carry the act into execution; and it appears indeed to have been liable to objections not applicable to other branches of the excise revenue. Still, however, it cannot be justly doubted, that the duties of excise, levied on the proper objects, and guarded from abuse by just and equitable regulations, constitute incomparably the fairest, the easiest, the most productive of all the various modes of national taxation. But a wise government will and ought to consult the general temper and disposition of the people in all the measures of government, and more especially in the manner of raising the national supplies. For when a specific revenue is to be exacted by the supreme authority of the state, it is surely no excessive indulgence to permit them to pay it in the manner most agreeable, though in reality least advantageous to themselves. All that the wisdom and beneficence of government united can do in such a case is, to introduce by gradual and insensible steps the amelioration of any actually existing system, however clearly perceived to be absurd and pernicious. In the present instance, though the

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object was comparatively trivial, though the arguments urged against it were forcible, and the opposition general, the minister, who entertained doubtless very different ideas of political wisdom from his predecessor sir Robert Walpole, resolved, with that obstinate inflexibility which is so often mistaken for dignity and firmness, to persevere; and the bill finally passed into a law.

1763. Resignation of lord Bute.

But scarcely was this favorite measure carried into execution, when the kingdom was astonished with the intelligence of the resignation of the minister, who having, as he boasted, restored peace to the world, forfeited no engagement, abandoned no friend, and formed a ministerial connexion so powerful as no longer to need his assistance, was now determined, by retiring "to the blessings of the life he loved," to demonstrate, that ministerial greatness had for him no charms. All his political purposes he had completely attained; and, by voluntarily divesting himself of his public authority, he was solicitous to show, that in his private capacity he dared the utmost malice and vengeance of his enemies. These motives were, however, of a nature by which men even the most virtuous, and particularly statesmen, are so rarely actuated, that little credit was given by the public at large to professions of moderation and dis-

interestedness so inconsistent with those measures of alternate artifice and violence, by which the late minister had attained to the summit of that power and greatness to which he now pretended a frigid and philosophical indifference. It was affirmed with boldness by his enemies, and faintly controverted by his friends, that although his pride would not suffer him to recede from a measure he had once adopted, he found himself on the passing of the late unpopular act in a situation which he had neither the ability nor the fortitude to sustain. Conscious that he was the object of the general abhorrence—that [redacted] him alone was imputed the dismission [redacted] popular and patriotic ministers—that he was charged with having betrayed the interests of the nation by the late *shameful* treaty of peace—that he had abused the confidence of his sovereign, by introducing a system of *favoritism* into the administration of affairs—that his partiality to his countrymen the Scots was gross and palpable—that he had sacrificed the honor of the king and kingdom abroad, by abandoning to his fate our ally the king of Prussia; and that by the general tenor of his domestic policy, he had given clear proof of his intention to establish a plan of despotism at home—conscious that these charges, whether well or ill founded,

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were almost universally believed, and that he stood on that pinnacle of power from which he might be suddenly plunged into the gulf of political perdition, it was no wonder, in circumstances so perilous, that he wished, while yet within his reach, to secure a safe and honorable retreat; and knowing his influence over the mind of his sovereign to exist in undiminished force, it would be easy for him at a more propitious season openly to re-assume the direction of affairs, or, which better accorded with the mystery and artifice pervading his whole character and conduct, whoever might be permitted to occupy the ostensible posts, secretly to guide the reins of government, and thus to enjoy the reality of ministerial power, without subjecting himself to the responsibility constitutionally attached to it.

Succeeded by Mr. George Grenville.

To the earl of Bute succeeded, as first commissioner of the treasury, Mr. George Grenville, brother to earl Temple, a man accurately versed in the routine of business, practised in all the punctilios of form, and the minutiæ of office; open and affable in his manners; not deficient in probity, although ambitious of distinction. But though his abilities were of a class to entitle him in a subordinate station to respect, he was utterly destitute of those com-

manding talents, that intuitive sagacity, and intellectual comprehension, which mark the man whom nature seems to have destined to the government of empires. BOOK XIII. 1763.

On the death of lord Egremont, which took place nearly at this period, the seals were given to the earl of Sandwich; the earl of Egmont was advanced to the head of the admiralty; and the duke of Bedford, now returned from his embassy to Paris, was appointed president of the council in the room of the famous earl Granville, who had for many years past, and to the close of life, under all the changing vicissitudes of power, occupied with the highest reputation that honorable and exalted office. In consequence of the retreat of the earl of Bute, a general coalition of parties seemed now to be again practicable, and overtures to that purpose were made to Mr. Pitt and the other leaders in opposition: but after repeated conferences, the negotiations terminated ineffectually: the king declaring, that the terms insisted on by Mr. Pitt were incompatible with his dignity, and of a nature to which he could not in honor accede: and the new administration seemed resolved to refer to the decision of experience, whether they were not competent, by their own unassisted strength, in defiance of all opposition both in and out

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of parliament, to establish an efficient government*.

In consequence of the ill success of the recent attempt at reconciliation, the rage of party seemed more inflamed than ever, and the press teemed with political pamphlets on each side, couched in terms of the extremest virulence and abuse. These the ministry seemed totally and wisely to disregard, till on the appearance of

* Lord Bute had a conference, by his own particular desire and request, with Mr. Pitt, August 25, 1763. He acknowledged to Mr. Pitt, that the present administration was too weak to continue; and intimated, that the king wished to arrange a new administration with the advice and concurrence of Mr. Pitt. On Saturday the 27th, Mr. Pitt waited by command on his majesty, at the Queen's palace. The conference lasted three hours, in the course of which Mr. Pitt delivered his sentiments on men and things very freely to his majesty; representing the present degraded situation of the kingdom both foreign and domestic; that the great whig families had been driven from his majesty's councils and service; and that it would be equally the interest of his majesty and the nation to restore them. The king hearkened with complacency; and upon the renewal of the conference on Monday, Mr. Pitt again enforced these topics, saying, that affairs could not be carried on without the great families who have supported the revolution government, and others, of whose abilities and integrity the public has had experience. "I should only deceive your majesty if I should leave you in an opinion that I could go on, and your majesty form a solid administration on any other foot."

the 45th number of a periodical publication styled the North Briton, containing a personal and very indecent attack upon the king, charging him with affirming a direct falsehood in his speech from the throne, it was in an evil hour judged expedient, for the vindication of his majesty's honor, to exert every effort of government to rescue the sovereign from an imputation, the impression made by which, had it been regarded with the dignity of silent con-

foot." The king, whose behaviour was perfectly gracious, at length unexpectedly terminated the conference, by saying, "Well, Mr. Pitt, I see, or I fear, this won't do; my honor is concerned, and I must support it." "Mr. Pitt," says lord Hardwicke, who is the relater of these particulars (in a letter to his son lord Royston), "affirms, that if he was examined upon oath, he could not tell upon what this negotiation broke off. He believes that my lord Bute was sincere *at first*, and that the king was in earnest the first day; but that on the intermediate day, Sunday, some strong effort was made, which produced the alteration. The ministers, Mr. Grenville and lord Halifax," his lordship affirms, "were highly offended that lord Bute should thus attempt to sacrifice them to his own fears and timidity; and they give it out, that he is to retire to the continent for a twelvemonth or more. You know a certain *cardinal* was twice exiled out of France; and governed France as absolutely whilst he was absent as when he was present." When Mr. Pitt, after the last conference, appeared at the levee, the king behaved to him with such marked condescension and affability, that Mr. Pitt was heard to say, "His majesty is the greatest courtier in his court."

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tempt, would probably have lasted only till the 46th number had promulgated some new abuse, as impudent, as malignant, and as futile as the former*. The well known and almost avowed author of the publication in question was Mr. Wilkes, member of parliament for the borough of Aylesbury, a man of ruined fortune and profligate morals, who had made repeated applications to the ministry for some post that might repair his shattered circumstances; but failing of success, probably through his total want of character, he resolved in revenge, and it is said that he scrupled not openly to declare his resolution, to try how far it was practicable to carry the licentiousness of writing, under the pretext of exercising the liberty of the press. A warrant was issued under the hand and seal of lord Halifax, directed to certain of his majesty's messengers in the usual official form, commanding them to apprehend the authors, printers, and publishers, of that seditious and treasonable paper.

Prosecution of Mr. Wilkes.

On the 29th of April, 1763, late at night, the messengers entered the house of Mr. Wilkes,

* No minister had ever been more virulently attacked than Mr Pitt, nor did the political publications of the times spare the person of the late king; but Mr. Pitt, on being urged to prosecute the libellers, replied only with a smile, that the press was, like the air, "A CHARTERED LIBERTINE."

and produced their warrant, with which, on account of the general terms in which it was drawn, he absolutely refused compliance; but on their return the next morning, he was compelled to accompany them to the office of the secretary of state, whence he was committed close prisoner to the Tower, his papers being previously seized and sealed, and all access to his person strictly prohibited. Application being made to the court of Common Pleas for an habeas corpus, a writ was accordingly issued, directed to the constable of the Tower, in consequence of which Mr. Wilkes was brought up the next day to Westminster-hall; and the case being new and important, he was, after the pleadings were finished, remanded till Friday, May 6, that the judges might have leisure to form their opinion. On that day, being again brought before them, lord chief justice Pratt, afterwards created lord Camden, a firm and invariable friend to constitutional liberty, proceeded to give the opinion of the court. He declared, as to the leading points involved in this complex question, the commitment of Mr. Wilkes to be not in itself illegal, being justified by numerous precedents; and though, in strict contemplation of law, the warrant of the secretary of state was not of superior force to that of a justice of peace, where a combination of cir-

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cumstances gave a strong suspicion of facts incompatible with the public safety, he was supported in the commitment, even without receiving any particular information for the foundation of the charge. As to the second objection, the court was of opinion, that there was no necessity for the specification of those particular passages in the 45th number of The North Briton which had been deemed a libel. The paper did not, at that time, come under the cognizance of the court, nor could it without the assistance of a jury. As to the third head, the chief justice admitted, that the privilege of parliament was violated in the person of Mr. Wilkes; for the privilege of parliament could be forfeited only by treason, felony, or breach of the peace; but Mr. Wilkes stood accused only of writing a libel, which did not come within that description. At most, it had but a *tendency to disturb* the peace, and this was not sufficient to destroy the privilege of a member of parliament. The court then discharged Mr. Wilkes, against whom nevertheless a prosecution was immediately commenced by the attorney-general; and he was at the same time, by an official notice from the secretary of state to lord Temple, lord lieutenant of the county of Bucks, dismissed from his military command as colonel of the Buckinghamshire militia; and lord Temple

was himself in a short time dismissed from his lieutenancy, to make room for lord Le Despencer, late sir Francis Dashwood. BOOK XIII. 1763.

On the 16th August, 1763, the queen was delivered of a second son, baptized by the name of Frederic. At this period the pulse of the nation beat high in favour of liberty; a striking manifestation of which appeared in the dignified congratulatory address presented upon this occasion to the king by the city of London, "firmly trusting," say they, "that every increase of your royal family will prove an additional security to our religion and the great charter of liberty, which, in consequence of the glorious Revolution, your illustrious House was CHOSEN to defend."

Upon the meeting of parliament, November 15, 1763, his majesty, in his speech from the throne, exhorted the two houses "to cultivate the arts of peace; to employ their utmost attention to the discharge of the heavy debts contracted in the late war: he recommended to them the care and support of the fleet; and towards the close of the speech, he urged them to domestic union, and that they would discourage that licentious spirit which is repugnant to the true principles of liberty, and of our happy constitution." Before the king's speech could be reported to the house, the minister, Mr.

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Grenville, knowing the intention of Mr. Wilkes to prefer a formal complaint of the breach of privilege committed in his person, declared, that he had a message to deliver from the king. The message being read, imported, "that his majesty having received information, that John Wilkes, esq. a member of that house, was the author of a most seditious and dangerous libel, he had caused the said John Wilkes, esq. to be apprehended and secured, in order to take his trial in due course of law. And Mr. Wilkes having been discharged out of custody by the court of Common Pleas, on account of his privilege as a member of that house, and having since refused to answer to an information filed against him by his majesty's attorney-general, his majesty, desirous to show all possible attention to the privileges of the house of commons, and at the same time solicitous not to suffer the public justice of the kingdom to be eluded, had chosen to direct the said libel, and also copies of the examination upon which Mr. Wilkes was apprehended and secured, to be laid before them;" and the minister then delivered the papers in at the table. On this a violent debate arose; and it was urged, in extenuation of the offence of Mr. Wilkes, that no greater liberties had been taken by the author of this obnoxious paper, than had been common on former occasions

of the same kind; that the speech of the king had never been considered in any other light than as that of the minister, and had always been treated with equal freedom. But the house, most unwisely making itself a principal in the quarrel, and entering with violence into this vexatious and perplexing business, voted by a great majority, that "THE NORTH BRITON, No. 45, is a false, scandalous, and seditious libel, manifestly tending to alienate the affections of the people from his majesty, and to excite them to traitorous insurrections;" and ordered it to be burnt by the common hangman. Thus was this question, so trivial and insignificant in its origin, swelled to vast and national importance. No legal conviction having as yet taken place, Mr. Wilkes now made his complaint to the house, of a breach of privilege by the imprisonment of his person, the plunder of his house, the seizure of his papers, and the serving him with a subpœna upon an information in the court of King's Bench. The complaint being confessedly perfectly regular, it was resolved to take it into consideration on the 17th. In the interim, Mr. Wilkes, in a duel fought with Mr. Martin, late secretary of the treasury, and member for Camelford, from whom he had received a challenge, in resentment of the freedom taken with his character in a former number of

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The North Briton, being dangerously wounded, was unable to appear in his place on the day appointed, and the consideration of the question was adjourned.

On the 23d of November, however, the deliberations on his majesty's message being resumed, the house resolved, by a majority of 125, in direct contradiction of the late decision of the court of Common Pleas in their favor, and the precedents upon record in their own journals, "that privilege of parliament does not extend to the case of libel;" and an address was presented to his majesty, in which the peers concurred, signifying their detestation of these seditious practices, and their warm affection for his majesty's person and government. Mr. Pitt, who attended the house on this occasion, though obliged by illness to be supported to his seat, declared himself with warmth against the resolution now passed. No man, he said, could condemn the paper or libel more than he did; but he would come at the author fairly, not by a sacrifice of their constitutional privileges, and by subjecting every member who did not vote with the minister, to the dread and danger of imprisonment. Under such circumstances, how can a parliament be free, or bold, or honest? To talk of the abuse of privilege, was to attack the very being and life of parliament; it was an

arraignment of the justice and honor of parliament to suppose that they would protect any criminal whatever. The dignity of parliament called upon them, doubtless, to support and protect the purity of his majesty's character: this they had done by a strong and decisive condemnation of the libel in question; the rest belonged to the courts below.—The concurrence of the lords was not obtained without much debate and difficulty; and a most able and animated protest was signed on the occasion by 17 peers, among whom were the dukes of Grafton, Portland, and Devonshire; the lords Temple and Cornwallis, with his brother the bishop of Lichfield and Coventry, afterwards archbishop of Canterbury. Their lordships affirm it to be "incompatible with the dignity, gravity, and justice of the house of peers, thus to explain away a parliamentary privilege of such magnitude and importance, founded in the wisdom of ages, declared with precision in their standing orders, repeatedly confirmed, and hitherto preserved inviolable, by the spirit of their ancestors; called to it only by the other house on a particular occasion, and to serve a particular purpose, *ex post facto*, *ex parte*, et *pendente lite* in the courts below."

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This is perhaps the only instance in English history, wherein parliament has concurred either ac-

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tively or passively in the diminution of its own powers and privileges; and it may be regarded as a striking proof of the dangerous ascendancy now obtained over the legislative body by the unconstitutional influence of the executive power thus triumphing in opposition to established right, to the general sense of the people, and to the *esprit du corps* by which all collective assemblies, in respect to the tenor of their conduct, are so sensibly swayed and governed.

In pursuance of the former vote, the sheriffs of London attempting to execute the order of the house of commons for burning the 45th number of The North Briton at the Royal Exchange, a violent riot ensued; the paper was rescued from the hands of the executioner, the peace officers were attacked, and the sheriffs themselves put in danger of their lives. Upon this the two houses resolved, that the rioters were perturbators of the public peace, dangerous to the liberties of this country, and obstructors of the national justice. The thanks of the commons were voted to the sheriffs, and an address presented to his majesty, that he would give directions for the punishment of the rioters. Parliament now began sensibly to feel the ill effects of its indiscretion, in thus committing themselves by an eager interference with a business to which their

jurisdiction did not extend, and of which the established courts of judicature alone could properly take cognizance. BOOK XIII. 1763.

Notwithstanding the votes, addresses, and resolutions, of the two houses, which were regarded in Westminster-hall as mere waste paper, Mr. Wilkes brought his action against the earl of Halifax for seizing his papers; and on the 6th of December, 1763, after an hearing of fifteen hours before the lord chief justice Pratt and a special jury, he obtained a verdict for 1000*l.* damages, and full costs of suit. In the charge given by the chief justice on this occasion to the jury, his lordship, varying in some degree from his former opinion, ventured to declare the GENERAL WARRANT under which Mr. Wilkes was apprehended, illegal—with submission, however, to the opinions of the other judges, and of the highest judicial authority in this kingdom, the house of peers. "If," said his lordship, "these superior jurisdictions should declare my opinion erroneous, I submit, as will become me, and kiss the rod; but I must say, I shall always consider it as a rod of iron for the chastisement of the people of Great Britain." During the Christmas vacation, Mr. Wilkes thought proper to cross the channel to France, and on the 16th of January, 1764, the day fixed for his appearance, the speaker 1764.

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for apprehending and seizing the authors, printers, and publishers of a seditious libel, together with their papers, is not warranted by law." The ministers found themselves extremely embarrassed by the plausibility and popularity of this motion. They however forcibly urged, that it was not consistent with the dignity of the house to pass a resolution respecting a point of law, which, though it should pass, would not therefore be law. And if the courts of law should, in the causes actually depending, be influenced by this resolution, and the house of lords, in their judicial capacities, should decree for the legality of general warrants, the consequences would be very disagreeable. They acknowledged, that the power in question, to which usage had given a sort of sanction, was very liable to abuse; but they maintained that the remedy should be provided by an act of parliament passed upon cool deliberation, distinguishing cases, and specifying those discretionary powers which the contingent exigencies of government require to be vested in the secretary of state. But the opposition insisted, that the practice in question was an abuse, and they would never consent to any act for regulating that abuse. The debate being adjourned to the 17th, certain modifications to the original motion were proposed by the ministry, calculated

prejudice of the author. That the privileges of the house were violated by the use made of the name of the learned prelate, was incontrovertible; and on the slightest inspection, the book appeared to be detestably obscene and impious. The house therefore voted, without hesitation, an address to his majesty, to order a prosecution to be instituted against the author, Mr. Wilkes. But this only served to increase the resentment of the public, who now regarded Mr. Wilkes as a victim devoted to ruin by the vengeance of the government, and whom it was therefore incumbent upon them to countenance and protect. As if to demonstrate that the real object of government bore no analogy to the ostensible pretext, the charge respecting this infamous publication, just as it was admitted to be in itself, was made by a nobleman, so far from being able to boast of the immaculate purity of his own morals, and the prelate personally concerned in this business has been described as co-adjutor to a lay-lord, "*homini post homines natos turpissimo, sceleratissimo, contaminatissimo**."

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On the 14th of February, 1764, a motion was made in the house of commons by sir William Meredith, a distinguished member of the opposition, "that a GENERAL WARRANT

* Vide letter to the right hon. George Grenville, on the law of libel.

to lessen the odium attending the practice, specifying the usage of office, and the tacit assent and approbation of the highest legal jurisdiction. But not daring to attempt to put a negative upon it, even in its present form, they moved the farther adjournment of the question for four months. Mr. Pitt again exerted himself with ardor in support of the original motion. "It was no justification, he said, that general warrants could plead the authority of precedent: two, he admitted, had been signed by himself, but they were not against libels; they were issued, in a time of war and public danger, against persons believed to be in the interests of the enemy. Sensible of the irregularity of the act, but preferring the public safety to every personal consideration, he ran the risk, as he would of his head, relying upon the exigencies of the times, and the necessity of the measure, for his vindication. In the present case no such necessity existed; the charge was writing and publishing a libel. What was there in this crime so heinous and terrible, as to require the use of this formidable engine, which, like an inundation, bore down all the barriers of the public security? It was plainly the indulgence of a violent resentment pointed against a particular person. Surely parliament could not see the extent of the surrender which they had made!

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A vote had passed, by which the personal freedom of every representative of the nation was now at the mercy of his majesty's attorney-general. Mr. Pitt expatiated in a strain of the most beautiful eloquence on the solicitude with which the constitution watches over the personal safety of the meanest individual. It is a maxim of our law, said he, that every Englishman's house is his castle. Not, that it is surrounded with walls and battlements: it may be a straw-built shed: every wind of heaven may whistle around it: all the elements of nature may enter in; but the KING cannot; the KING dare not. He concluded with saying, that if the house negatived the present motion, they would be the disgrace of the present age, and the reproach of posterity." The adjournment was carried by a majority of 14 voices only, in one of the fullest houses known for many years, the minority on this occasion being no less than 220. Such a defeat was considered as equivalent to a victory: the freedom of the city of London was voted to lord chief justice Pratt, and presented to his lordship in a golden box; the picture of that magistrate, now the idol of the nation, placed in the Guildhall of the metropolis, whose example was, with an emulation of eagerness, followed by the city of Dublin, and other principal cities throughout the two kingdoms. Early

in the year 1764, the hereditary prince of Brunswic was married to the princess Augusta, eldest sister of the king, to whom the parliament voted a marriage portion of 80,000*l.* a sum equal to that formerly granted to the princess of Orange. BOOK XIII. 1764.

Scarcely was the question of general warrants disposed of, when the minister, Mr. Grenville, in the rage of making experiments, however hitherto unsuccessful, determined upon a measure, in its tendency and ultimate consequences the most interesting and important which ever perhaps came under the cognizance of the British parliament. As the reductions which had taken place since the conclusion of the war, were far inferior to those made by Mr. Pelham after the peace of Aix-la-Chapelle, and the vast increase of the national debt had rendered indispensable a proportionable increase of revenue, large supplies were yet wanting to raise the national income to a level with the annual expenditure. The invention of the governors, and the patience of the people of Great Britain, being at this period alike exhausted*, Mr. Project for taxing America.

* In the debate on the cider bill, Mr. Grenville, in answer to the invectives of Mr. Pitt, contended, that the tax was unavoidable: "Government," he said, "did not know where to lay another tax of equal efficiency. The right honourable gentleman complains of the hardship of this tax;

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Grenville cast his eyes upon the vast continent of America, as affording a boundless scope for ministerial and parliamentary exaction. The project of taxing America had been many years since proposed to sir Robert Walpole; but that cautious and sagacious statesman replied, "that it was a measure too hazardous for him to venture upon; he should therefore leave it to some more daring successor in office to make the experiment." And it is particularly stated, that sir William Keith, governor of Virginia, proposing a plan for that purpose to the minister soon after the failure of his excise bill, sir Robert Walpole replied indignantly, "I have Old England set against me, and do you think I will

why does he not tell us where we can lay another tax instead of it?"—repeating with strong emphasis two or three times, "Tell me where you can lay another tax?" Mr. Pitt, thus unfairly urged, replied, in a musical tone, and in the words of a favorite and popular canzonet, "Gentle Shepherd, tell me where!" The house burst into laughter, and Mr. Grenville, after this, retained the appellation of the "Gentle Shepherd." Little, certainly, did this minister imagine how fertile would be the invention of his successors in office, or how thoroughly subdued by time and custom the spirit of the people. The peace establishment of 1763, compared with that of 1748, was enormously extravagant—the number of regiments retained in the service being increased from 40 to 70, and other expences raised in proportion; and, for the support of this unnecessary and unaccountable force, America was to be plundered, harassed, and oppressed.

have New England likewise*." It is true, that two or three remote and obscure precedents might be adduced in vindication of the authority of the British parliament to impose taxes in America. But then the taxes hitherto imposed, consisting of certain import and export duties, were invariably and professedly designed for the mere purpose of commercial regulation. It is remarkable, that the trivial and incidental produce of these duties was not even appropriated by parliament, and it was never so much as suspected that they would be quoted as cases in point, should a direct taxation be attempted. The project of Mr. Grenville, therefore, was of a nature perfectly novel. His avowed purpose was to raise a revenue in America in aid to the mother country, the entire produce of which was to be paid into the exchequer of Great Britain. This was a project in the highest degree alarming to the Americans; for if the claim of England to tax the colonies for her own benefit, and at her own discretion, were once admitted, a system of oppression would be introduced, which, from the irresistible tendencies of things, would gradually become insupportably grievous; and which once established, no subsequent efforts would be able to destroy. No

* Coxe's Memoirs of Walpole.

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question could perhaps be agitated of more difficult or doubtful discussion than the extent of the constitutional authority of Great Britain over America. It had never been analysed or defined: it was, indeed, in its own nature, indefinable: it was only admitted in the general, that Great Britain possessed a discretionary superintending power, pervading the whole empire, with respect to objects of great and common concern. This power had been invariably exercised with caution, prudence, and moderation: and the benefits arising from it to the empire at large, and even to its colonies and dependencies separately considered, were so manifest, that no disposition existed to call in question the validity of its acts, or to fix precise limits to its dominion. It was a political problem thrown as it were into shade, like various others, which it would be deemed highly imprudent to make the subject of a rigid or public scrutiny. The precise extent of the prerogative of the crown, of the privileges of parliament, of the jurisdictions of the different courts of judicature, who is competent to delineate? Or who would deem it discreet or politic to create divisions and animosities in a state, by a vain endeavour to ascertain questions, which folly and presumption alone would, without absolute necessity, agitate? But the indefinite authority possessed by Great

Britain over the colonies, an authority so liable to abuse, so justly, therefore, the subject of jealousy, and which had maintained its full weight and energy chiefly by the utility and propriety of its occasional exertions, it was now determined to put wildly and wantonly to the hazard, by an attempt to exercise it in a mode absolutely unprecedented, and in the highest degree alarming, unconstitutional, and dangerous *.

* Sir Robert Walpole, writing to the duke of Newcastle on the subject of the famous patent granted to Wood, against which such a preposterous clamor was excited by the factious artifices of Swift, after stating the advantages of the measure, subjoins—"If, after all, the Irish should dislike the plan, I shall give it up, as I would never wish to oppose the general opinion of a country." That the administration of sir Robert Walpole was in many respects censurable, cannot be denied; but when we compare the spirit of the maxims by which the general tenor of the political conduct of that great minister was regulated, with the policy of the Butes, the Grenvilles, the Jenkinsons, and the Norths of our own times—and would to God that to these a far more interesting name might not be added!—he appears as an angel of light. The events of the present reign are indeed such as are calculated alternately to force the frown of indignation, and the smile of contempt. In fact, the councils of George III. have been as uniform and systematic, with the exception of two or three very short intervals, as those of Elizabeth; and folly is as predominant and characteristic a feature of the one, as wisdom of the other. A long reign of uninterrupted prosperity must be the result, not of accidental, but of fixed and permanent causes. "Over

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On the 10th of March, 1764, the house of commons, at the motion of the minister, passed a variety of resolutions, respecting certain new duties on foreign goods imported into the British colonies in America; which being primarily of the nature of commercial regulations, passed without any distinct or particular notice in the British parliament, though their equivocal complexion rendered them very distasteful to the Americans. But in the series of parliamentary resolutions was one of such peculiar importance, that Mr. Grenville himself declared his intention to reserve the execution of it till the next year. This resolution imported, that it would be proper to impose certain STAMP DUTIES in the said colonies and plantations, for the purpose of raising an American revenue payable into the British exchequer. The prospect of being relieved, by the taxation of America, from a portion of the national burdens, was so agreeable to the interest, and the unlimited exercise of authority so flattering to the pride, of this assembly, that the resolution in question passed the house with

wisdom," says lord Bacon, "fortune has no power." On the other hand, a long and uninterrupted series of disappointments and calamities must originate in some radical and fundamental error in the general system of government; and philosophy confirms and establishes the vulgar and popular maxim, that success is the best criterion of ability.

no violent or unusual opposition. The dire effects of this measure it will be but too soon necessary to explain. In the mean time it is material to remark, that, according to the true principles of the constitution, even the produce of the duties imposed for the regulation of commerce ought, in order to guard against possible and eventual abuse, to have been paid, not into the British exchequer, but into the colonial treasuries. The act of the 6th George II. imposing duties of a similar kind on foreign rums, molasses, &c. contained no clause of appropriation; and so trivial was the produce of these duties, and so evidently remote from any design of raising a revenue, that no political alarm was in fact excited in consequence of that act. But the apprehensions of the Americans were at this period completely awakened by the declarations of the minister; and even this exercise of authority, founded on recent precedent, was now the cause of jealousy and uneasiness. But still the greater share of the discontent attached to this measure, arose from the extreme commercial inconvenience and embarrassment they immediately felt from the operation of the new duties; in consequence of which, the trade from time immemorial carried on with the Spanish and French colonies, though legalized to a certain degree, was loaded with such burdens as virtually amounted to the an-

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nihilation of an intercourse, which, however hitherto irregular, had been found by experience highly beneficial. As the heavy duties now imposed rendered, on the one hand, all legal commerce impracticable, on the other, the excessive rigor of the regulations accompanying them, the innumerable certificates, cockets, clearances, and affidavits required by the new revenue acts, suddenly reduced the contraband traffic to a mere nullity. And the colonies, who had been accustomed to make a very large proportion of their returns to England in specie received from the Spaniards, now found themselves reduced to a situation which left them utterly destitute of the means of pursuing the *routine* of the established system. The grand machine of commerce was disordered in one of its main springs, and its curious and complicated movements were all at once alarmingly suspended. Also, as the act imposing the new duties required payment in specie, the colonies must be in a short time inevitably drained of that small proportion of the precious metals which they now possessed. And the same law restraining the issue of paper currency as a legal tender, no medium of commerce seemed to remain. The English minister, positive, conceited, and conversant only in the detail of business, thus discovered, amidst the very success of his pro-

jects, that original poverty of genius, which no acquisitions of knowledge, no experience, no industry, can disguise or compensate. BOOK XIII. 1764.

On the 5th of October, 1763, died, after a reign of thirty years, Augustus III. king of Poland and elector of Saxony; and the election of a new monarch immediately engrossed the attention of the neighbouring powers. Although the elector, son of the late king, immediately offered himself as a candidate for the vacant throne, it appeared that the interests of the house of Saxony were on this occasion abandoned by those who had formerly so efficaciously supported them. The empress of Russia*, whose ambitious and enterprising spirit now began to develop itself, espoused with great warmth the pretensions of count Poniatowski, a Polish nobleman, who had resided for some time at Petersburg, and whom her Imperial majesty had distinguished by State of parties.

* In his speech upon the peace, Mr. Pitt thus, in his accustomed emphatic language, spoke of the rising power of Russia: "Since the time that the grand confederacy against France took place, another power, then scarcely thought of in Europe, has started up, that of RUSSIA, and moves in its own orbit extrinsically of all other systems, but gravitating to each according to the mass of attracting interest it contains." In opposing the progress of this formidable power, the court of London, under the auspices of the present minister, has thought it expedient at one time to threaten war for a single town, while with torpid indifference at another, it regarded the seizure and enslavement of a kingdom.

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peculiar marks of her favor. And she now declared her resolution, paradoxical as it might appear to the world, "to support the freedom of the Polish election by force." The king of Prussia, though his brother prince Henry had at first declared himself a candidate, was easily induced to acquiesce in this design of the empress; his principal object being to prevent the crown of Poland from becoming hereditary in the house of Saxony.

The court of Vienna, wearied and exhausted by the late war, though strongly biassed in favor of the electoral family, would not openly oppose this potent combination, being at present chiefly intent on securing the succession of the Imperial crown, by an election of a king of the Romans in the person of the archduke Joseph. The death of the elector of Saxony, which happened soon after that of his father, decided the contest. A diet was summoned by the archbishop of Gnesna, prince primate of Poland, on the 7th of May, 1764, under the *protection* of the Russian forces. Count Branittzi, general of the crown, nevertheless, in conjunction with sixty-seven senators and nuncios, signed a formal protest against the validity of the diet, and with their partisans began to assemble troops. In return, he was divested of his office by the diet, and, being pursued by a superior force of Poles and

Russians, was compelled to retire into Hungary. Many of the Polish malcontents found refuge in Turkey, where the Imperial and French ministers had been assiduously employed in representing the proceedings of the diet as inimical to the interests of the Porte. BOOK XIII. 1764.

On the 7th of September, 1764, the *Pacta Conventa*, agreeably to ancient custom, being previously settled, count Poniatowski was declared king of Poland and great duke of Lithuania, and as such was either willingly or reluctantly recognized by all the powers of Europe. Amongst the most early in their congratulations, was the king of Prussia, who, with his own hand, wrote upon this occasion a letter to the king of Poland, in a style rarely adopted by sovereigns. "Your majesty," says this great monarch, "must reflect, that from a man exalted by the voice of his equals from a subject to a king, every thing is expected that can adorn a crown. A king who is so by birth, if he act derogatory to his station, is a satire only on himself; but an elected one, who behaves inconsistent with his dignity, reflects dishonor also on his subjects."

During the interregnum, the ascendancy acquired by Russia in the affairs of Poland very strikingly appeared. In compliance with the requisition of the empress, the diet declared the investiture of prince Charles of Saxony, A. D.

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1758, as duke of Courland, to be null and void; and acknowledged count Biron, whom her Imperial majesty had reinstated in the government, as the lawful duke, and decreed that the dignity should be perpetuated in the Biron family. At the same time the republic formally agreed to give the title of empress to the czarina, in consideration of her guarantee of the provinces comprehended in the kingdom of Poland and the great duchy of Lithuania, conformably to the treaty between the two crowns in the reign of the great Sobieski; and that of king to his Prussian majesty, upon his engaging NEVER to lay claim to POLISH PRUSSIA. It is, however, very remarkable, that the empress, who had declared herself protectress of the dissidents or non-catholics of Poland, who are very numerous, and chiefly of the Greek communion, as professed throughout the Muscovite empire, could obtain no satisfaction respecting her subsequent demands for the re-establishment of that class of citizens in the free enjoyment of their religion, and the privileges guaranteed to them by the treaty of Oliva. "On the contrary," says the royal historian, "the diet unanimously resolved, as if by a kind of fanatic enthusiasm, that the constitutions made against them, A. D. 1717, 1733, and 1736, should be carried strictly into execution."

The empress, highly offended at the unexpected and daring resistance of the diet as to this point, formed a resolution to support the dissidents by force of arms. This unjustifiable determination being made known, the discontent of the Poles became general and violent. The nation loudly exclaimed, that it was the subversion of the established faith which Russia really meant to effect; and throughout all the provinces of the kingdom, from the Vistula to the Niester, were at once seen the astonishing effects of that implacable species of malignity which originates in religious bigotry, and which is by far the most fatal and contagious of all the dire distempers to which the human mind is subject. A Russian army entered the kingdom, under the evil auspices of whom the dissidents formed a CONFEDERATION for their common safety and defence. An extraordinary diet being called to determine this question, the utmost degree of violence was practised on the members by prince Repnin, the Russian general; and even the shadow of liberty annihilated, by sending into exile the principal adversaries of the Russian measures, particularly the bishops of Cracow and Kiovia, who had distinguished themselves by the virulence and pertinacity of their opposition. The clergy, with clamorous vociferations, sounded anew with most disastrous success the alarm of heresy and

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schism throughout the kingdom. The nobles, seeing the power of the aristocracy no less endangered than that of the priesthood, employed all their credit, and influence also, to persuade the people, "that mass of intellectual imbecility," as the king of Prussia styles them, "made only to be the dupes of those who will be at the pains to deceive them," that the newly-elected monarch had joined with the Russians to overthrow the holy Catholic religion; and in the month of March, 1768, the first Catholic confederation was formed at Bar, the count Kraszinsky being chosen marshal. This was soon followed by many others; and in the delirium of passion and revenge, they aspired at no less than the dethronement of the king, who was thus compelled to throw himself entirely into the power of Russia; a measure, however abhorrent from his feelings and judgment, now become necessary to the retaining possession of a throne which seemed already shaking under him.

By the vigor and promptitude of her proceedings, the empress Catharine had attracted in a peculiar degree the attention of the European courts. In her general system of Polish politics she was strongly supported by the king of Prussia; and the peace recently concluded with that monarch, was now cemented by a treaty of mutual defence, containing a secret article, to prevent

the establishment of hereditary succession in Poland; so far adopting the sentiments of the late emperor Peter III. who sought with eagerness the friendship and alliance of the court of Berlin. But in relation to other powers, her views widely differed. It is necessary to recollect, that the late czar was the son of the eldest daughter of Peter the Great, married to that duke of Holstein from whom the duchy of Sleswic had been violently and unjustly wrested by Denmark, though, in the sequel, ceded and guaranteed to the crown of Denmark by all the principal powers of Europe, and amongst the rest by Russia, as a party to the treaty of Vienna, A. D. 1731. The czar, nevertheless, deeming no lapse of time, or weight of authority, sufficient to sanction an injury so atrocious, burned with an eager desire to recover his patrimonial possessions, and avenge himself upon that power by whom his family had been so cruelly oppressed. No sooner had he ascended the throne, than great military preparations were made, for the avowed purpose of a war with Denmark, who, justly alarmed at the prospect of a contest the most dangerous in which she had perhaps ever engaged, exerted uncommon efforts on her part to maintain by force of arms the validity of her claims. But the deposition of the emperor proved in its consequences a most happy event

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for Denmark; for the empress, to whom the recovery of Sleswic appeared a chimerical and useless project, immediately demonstrated a disposition to restore the harmony so long subsisting between the two crowns; and in the sequel, in order to attach the Danish court by all the ties of interest and gratitude to that of Russia, the grand duke, only son of the late emperor, made a voluntary cession to the king of Denmark, of the entire duchy of Holstein-Gottorp; an acquisition invaluable to Denmark, though on the part of Russia, on account of its remote and detached situation, a trivial sacrifice *.

An incident of a most tragic nature at this time occurred in Russia, exciting by its singular and irresistible pathos the sympathy and com-

* The act of renunciation did not take place on the part of Russia till November 1773; and Denmark, in return, ceded to that power the remote and comparatively inconsiderable districts of Oldenbrug and Delmonhurst, in Westphalia; which, with imperial munificence, were immediately given by the court of St. Petersburg to the younger branch of the Gottorp line, Frederic Augustus, bishop of Lubec. In this transaction the empress Catharine displayed a spirit of magnanimity surpassing even that of Peter the Great, who was eagerly desirous of ranking amongst the princes of the German empire; an ambition unworthy of so great a monarch. The unexpected acquisition of this territory was one of the first acts of administration of count Bernstorf, so justly celebrated for rectitude and wisdom.

passion of all Europe. The infant emperor Iwan, of the house of Mecklenburg, descended from Iwan, elder brother of the czar Peter the Great, had been closely confined since the period of his deposition by the late empress Elizabeth, for more than twenty years, in the castle of Schlusselberg. At the accession of the present empress, apprehensions being entertained that an attempt might be made to revive the pretensions of this young prince, his guards were doubled, and orders given, if any rescue should be attempted, in no case to suffer him to escape alive from the place of his confinement. Very early in the morning of the 15th of August (1764), the empress being at that time resident at Mittau, the capital of the duchy of Courland, an officer named Mirowitz, produced a forged order from the empress to the governor of the fortress, signifying her resolution to resign the crown to prince Iwan, as the lawful heir and sovereign of the Russian empire. Upon the governor's disputing the authenticity of the order, Mirowitz, rushing forward, sabre in hand, at the head of his troop, attempted to force a passage into the castle, but was repulsed by the guard. In the mean time the villains to whom the custody of prince Iwan's person was more immediately entrusted, pretending that they could not answer for the consequences, went immediately to the

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apartment of the young prince, then asleep, and, as far as appears, entirely ignorant of all the circumstances attending this strange project of rescue, and in the most barbarous manner murdured him in his bed. His body being immediately exposed at a window, Mirowitz, terrified at the spectacle, surrendered himself prisoner, and after a public and solemn examination and trial, was condemned to lose his head on the scaffold; a sentence to which he submitted with great constancy and resignation. A relation of this affair was published by order of the court of St. Petersburg, but accompanied with certain circumstances of mystery and romance which have never been satisfactorily cleared up; and there were those who did not scruple to insinuate, that Mirowitz was the unconscious instrument and victim of the insidious and detestable artifices of the court. This is one of those mysterious transactions upon which, without ampler materials than the public yet possesses, no historian can be authorized to pass a decided judgment. The character of the empress of Russia affords color and plausibility, indeed, to the blackest surmises, such as the manifesto of the court of St. Petersburg is very ill calculated to counteract. The unfortunate prince is represented as in a state of extreme mental imbecility. "But in order to prevent any use

being made of his person to trouble the public repose, we ordered him," says her Imperial majesty, "a SURE GUARD, and placed over him two HONEST and FAITHFUL OFFICERS." It then goes on to recite the attempt of Mirowitz, whom it stigmatizes as a perjured and abandoned villain; but without assigning to him a motive or object which could in anywise lessen the apparent incredibility of so wild an enterprise. Although, by the acknowledgment of the manifesto, no person was killed or even wounded in this pretended assault, owing, as it is alleged, to a thick fog which that night enveloped the fortress; yet the officers Wlassieff and Tschekin, seeing a force which they could not resist, resolved on the only step which they thought remained—that is to say, to secure the public tranquillity, by abridging the days of the unfortunate prince.—"The monster Mirowitz, seeing before him the lifeless body, was so struck with the unexpected blow, that he immediately acknowledged his rashness and his crime; and discovered his repentance to his troop, which but an hour before he seduced and made accomplices of his villany." Whoever has the complaisance to give implicit credit to this marvellous tale, must entertain a much higher idea of the veracity and honor of sovereigns and of courts, than the general tenor of history *seems* to

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warrant. The two *honest and faithful* officers, Wlassieff and Tschekin, were, by the generosity of the empress, amply rewarded for this meritorious display of loyalty and fidelity.

By an important article of the late treaty of Hubertsburg, the king of Prussia had given his express and formal assent to the election of a king of the Romans, which at a former period he so obstinately opposed; and no shadow of competition existing, the archduke, heir of the house of Austria-Lorraine, was chosen, and crowned with great solemnity at Francfort, April 3, 1764; and in the course of the following year, the emperor Francis dying suddenly at Inspruck, that prince succeeded quietly to the Imperial throne, under the appellation of Joseph II. France and Spain seemed well disposed to establish, by the equity of their conduct, the permanency of the late peace; and the various occasional grounds of complaint which had arisen, were satisfactorily obviated. Differences, indeed, still subsisted, of a nature somewhat serious, respecting the payment of the Manilla ransom, and the liquidation of the *Canada bills of exchange*, agreeably to the provisions of the treaty—a large proportion of which the French court affirmed that Bigot, the intendant of the province, had fraudulently and surreptitiously issued, and for which, therefore, they would not undertake to be responsible.

Fresh causes of dispute now arose between the king of France and the different parliaments of that kingdom. A royal arrêt being issued, imposing a duty of one per cent. on all alienations of immovable property, the parliament of Rouen refused to enregister this and some other exceptionable edicts: and forcible measures being employed by the duc de Harcourt to compel them to compliance, they almost unanimously resigned their offices: nor would they be prevailed upon to resume their functions, till such alterations as they had suggested were consented to by the court. The parliament of Toulouse was equally refractory, and the duc de Fitz-James, governor of Languedoc, put various of its members under arrest, for their resolute refusal to enregister the edicts in question. On which the parliament presented articles of impeachment against the duke, and passed an arrêt that the person of the said duke should be seized wherever he could be found, and brought to the prisons of the court, and his estates sequestered. The parliament of Paris, as the supreme court of judicature, received without hesitation the appeal, and commanded the first president to wait upon the king, to know whether his majesty would be pleased to attend the examination. The king replied, "that, as the duc de Fitz-James represented his person in the pro-

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vince of Languedoc, he reserved to himself and his council the determination of this cause; permitting, however, the parliament to make such representations of his conduct as they should find agreeable to justice and the laws." When this reply was reported, a grand committee, consisting of the princes of the blood, four peers of France, and sixty other members of the parliament, was nominated to wait upon the king with fresh remonstrances: but the death of the duke, which took place about this time, put a stop to the proceedings;—leaving, however, upon the reflecting and philosophic mind an impression, that views and sentiments of a complexion novel and interesting were becoming daily more prevalent in France; and that causes permanent and powerful were now strongly, though secretly, operating, which must, in process of time, and at the destined period, produce effects proportionably dangerous and violent *.

* The following remarkable prediction was at this precise period penned by M. Voltaire: "Tout ce que je vois jete les semences à une revolution, qui arrivera IMMANQUABLEMENT, et dont je n'aurai pas le plaisir d'être temoin. Les François arrivent tard à tout, mais enfin ils arrivent. La lumière s'est tellement repandue de proche en proche, qu'on éclatera à la première occasion, et alors ce sera un beau tapage. Les jeunes gens sont bienheureux—ils verront des belles choses." This is in part wonderfully verified; but, through the fatal extra-

In one of the remonstrances presented by the chambre des aides of the parliament of Paris to the throne, a request is preferred, "that, if the king doubts the fidelity of their representations, he would be pleased to hear the people themselves, by convoking the states-general of the kingdom." The parliaments of Bourdeaux, of Toulouse, of Grenoble, of Besançon, of Arles, and particularly of Rouen, gave vent to their

vagancies of those who make liberty to consist in such wild and chimerical ideas of equality, as are inconsistent with every principle of order and subordination, and whom the unprincipled and unprovoked attack of the continental powers has inflamed to madness, the blissful æra so warmly anticipated by M. Voltaire seems yet at a great distance. From this chaos order will however one day arise; and of our own times it may still perhaps be truly affirmed, "Les jeunes gens verront des belles choses."—"I see with pleasure," says the same celebrated writer, "that there is forming in Europe an immense republic of cultivated minds. A revolution has arisen in the human intellect, which forms a great epoch. The cries of fools and pedants announce this happy change, as the croaking of the crows foretels fine weather." Certain it is, that the republic of letters has declared itself strongly in favor of the principles on which the revolution of France was originally founded, as promulgated in the famous declaration of rights by the constituent assembly of 1789. "Europe," to adopt the expressions of M. Condorcet, "crushed between sacerdotal tyranny, and military despotism, awaits in blood and in tears the moment when the revival of light shall restore it to liberty, to humanity, and to virtue."

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discontents in language the most daring and energetic. "It is to promote," said the parliament of Rouen, "the happiness of those who are placed under your care, that you are invested with the supreme authority. Your subjects have a right to your beneficence. They have therefore a right to the easiest and least burdensome method of contributing to the wants of the state. This right, which is founded in nature, belongs to every nation in the world, whatever may be its form of government. It is principally the right of the Francs, and in a more especial manner that of the province of Normandy. The Norman charter furnishes on this head the most respectable monuments of our national immunities, and of the justice of the kings your august predecessors. We there find that no tax can be laid on your subjects of this province, unless it be agreed to in the assembly of the people of the three estates. This charter subsists in its full force. It makes part of the people's rights, which you swore to maintain, before him by whom kings reign."

The tranquillity of the southern parts of Europe was at this period interrupted only by the war which had for a series of years subsisted with little intermission between the republic of Genoa and the inhabitants of Corsica, over

which island the Genoese had long exercised a most imperious and oppressive dominion. During the war of 1740, England had given repeated aid and assistance to the Corsicans in their contest with Genoa, then in alliance with France and Spain; but at the treaty of Aix-la-Chapelle no mention was made of those brave and unfortunate islanders, who still continued to defend their liberties with invincible resolution and fortitude. A certain German adventurer, known under the title of baron Neuhoff, a man possessed of plausible and popular talents, had found means to obtain their confidence, and was actually elected, A. D. 1736, sovereign of the island, under the appellation of Theodore king of Corsica. But being found utterly incompetent to make good his magnificent boasts and promises, he was compelled to abdicate his sovereignty, and retired to England, where, being deeply involved in debt, he at length died in a forlorn and obscure situation. The Corsicans, after the banishment of Theodore, transferred their regards, and in some measure their allegiance, to a native chief, of the name of Giacinto Paoli, whom they elected general of their armies, and president of their councils, and under whose direction and guidance they gained very signal advantages over the troops of the republic; so that, had no other power interfered, there

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existed a strong probability that they would ultimately succeed in the establishment of their liberty and independence.

England, during the high tide of her successes, had demonstrated her regard to the pretended rights of the republic, by scrupulously refraining from all intercourse with the Corsicans; though it would surely have been highly becoming her dignity, and that passionate attachment to freedom by which she was herself characterized, to have interposed her powerful influence in order to secure, as with the most perfect ease she might incontrovertibly have done, to these heroic islanders the blessings of peace and liberty. But never, never hath an instance of national generosity, similar to this, found a place in the records of history. On the contrary, a proclamation was issued, under the administration of lord Bute, strictly prohibiting the subjects of England from granting aid or assistance to the Corsican REBELS; and the republic of Genoa still persisted in her fruitless and ruinous efforts to reduce them to absolute submission. At length, general Matra, the Genoese commander, being defeated with great loss in an engagement with the insurgents near Furiani; and Bastia, the capital of the island, appearing in imminent danger of falling into the hands of the Corsicans (who, in July 1755, had elected, as their chief,

Pascal Paoli, son of Giacinto); the senate of Genoa was compelled to make a formal application for assistance to the most Christian king, the ally of the republic; and in August 1764, a convention was signed at Compeigne, importing, that his most Christian majesty, in consideration of a certain stipulated subsidy, should send a considerable force, both naval and military, to the island of Corsica; the latter there to remain for the term of four years, if needful; and on the restoration of peace, his most Christian majesty consented to guarantee the island to the republic. The Corsicans, however, justly alarmed at this interference, resolved, with inflexible constancy, to defend their liberties at whatever risk, fully and immovably determined to endure every extremity rather than submit themselves and their posterity to the insupportable yoke of Genoese tyranny and slavery. At the same time general Paoli was commissioned, respectfully to represent to his most Christian majesty, in the name of the Corsican nation, the injury he was doing to the free Corsicans, by sending his troops thither at the time they were upon the point of driving their enemies out of their island. And well knowing how unavailing this representation would probably prove, they charged their chief to solicit at the different courts of Europe, particularly those of Vienna and

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London, their mediation with his most Christian majesty, and to implore their protection in defence of their rights and liberties. These applications, however, were doubtless received with coldness, or contempt; for the French troops under the marquis de Marbœuf arrived, without any impediment, at the place of their destination within or about the end of the year, and were immediately put into possession of the principal fortresses of Corsica yet remaining in the hands of the Genoese.

In this general review of foreign politics, scarcely can be accounted worthy of mention, the dispute subsisting between his Britannic majesty, as elector of Hanover, and the chapter of Osnaburg, to the bishopric of which the king of England had, agreeably to the provisions of the treaty of Westphalia, nominated his second son prince Frederic; during the minority of whom it became a subject of doubt and discussion, to whom belonged the administration of the temporalities of the see, and the comitial suffrage in the diet of the empire—the appointment of an infant bishop being a new case in ecclesiastical history. In a contest so unequal, it will easily be supposed that, on an appeal to the diet now assembled at Ratisbon, a decision was given without hesitation in favor of the monarch.

It remains only to be remarked, that, on the

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1764. Demise of the Pretender.

30th of December, 1765, died at Rome, in a far advanced age, the famous chevalier de St. George, only son of the late king James II. Born with the prospect of inheriting three powerful kingdoms, he experienced, during the course of a long life, only a succession of misfortunes. So entirely had he survived his political consequence, that the intelligence of his death was received in Great Britain with the utmost coldness and indifference; though his pretensions to the British crown had, within the memory of the majority of persons living, excited the highest apprehension and alarm. And these claims, however futile in themselves, or with whatever serious mischief to the state attended, were at least productive of this good consequence, that they compelled the reigning family perpetually to recur to those great principles of liberty, civil and religious, on which their own title to the crown was founded. But the annihilation of all competition will too naturally lead to the revival of those high and lofty ideas of regal authority so flattering to the pride and ambition of kings, but which in this country, at least, cannot be acted upon but at their utmost peril. The chevalier left two sons, upon the eldest of whom devolved that shadow of a shade, the divine and indefeasible right of succession to the throne of Great Britain. The younger, edu-

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cated an ecclesiastic, had been advanced to the purple under the appellation of cardinal of York; and he is at this moment (September 1796) the last surviving male of the ancient and royal house of Stuart, which, having been precipitated from the height of regal sovereignty in consequence of its attachment to the catholic faith, thus, to close and consummate its glories, "pays the last tribute of a saint to heaven."

BOOK XIV.

Stamp Act imposed. Regency Bill. Marquis of Rockingham First Minister. Death of the Duke of Cumberland. Session of Parliament—Stamp Act repealed. Cider Tax modified. General Warrants declared illegal. Beneficial Regulations of Trade. Treaty of Commerce with Russia. Dismission of Lord Rockingham. Duke of Grafton First Minister. Mr. Pitt created Earl of Chatham, and Lord Privy Seal. Review of Indian Transactions. Tumults on account of the high Price of Provisions. Bill of Indemnity for the Embargo on Corn. Bill for suspending the Legislature of New York. New Project of American Taxation. East-India Rescinding Bill. Impolitic Reduction of the Land-tax. Death of Mr. Charles Townshend, Chancellor of the Exchequer—Succeeded by Lord North. Death of the Duke of York—His Character. Changes in the Administration—Lord Chatham resigns. Affairs of Corsica. Nullum Tempus Bill. Irish Octennial Bill passed. Dissolution of Parliament. General Election productive of excessive Disorder.

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THE parliament of England was convened at the usual period of the ensuing winter, and early in the year 1765, the question respecting American taxation was revived with redoubled warmth and vigor. The *indulgence* of the minister in deferring the imposition of the stamp duties till the present year, had not produced

Stamp act imposed.

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any advances towards an accommodation. The difference of principle occasioned by the agitation of this new and dangerous question, was in fact far too great to admit of any amicable compromise. Numerous petitions or memorials were transmitted from the different colonies, none of them expressly admitting, but the majority, on the contrary, positively denying, the right of the British legislature to impose any tax for the purpose of raising a colonial revenue, at the disposal of the British parliament, and payable into the British exchequer.

On the part of the colonists it was urged, that the claim of England was not only absolutely novel, but diametrically opposite to the spirit and letter of the English constitution, which has established as a fundamental axiom, that taxation is inseparably attached to representation; that as the colonies were not, and from local and political obstacles could not be, represented in the British parliament, it would be of the very essence of tyranny to attempt to exercise an authority over them, which from its very nature must lead to gross and inevitable abuse. For when Great Britain was in full possession of the power now contended for, could it possibly be imagined, when a sum of money for the supply of the exigencies of government was wanting, that the British parliament would not rather

choose to vote that it should be paid by the colonists, than by themselves and their constituents? BOOK XIV. 1765.

In reply to the argument, which stated as highly reasonable that America should contribute her proportion to the general expence of the empire; it was said, "that America had never been deficient in contributing, at the constitutional requisition of the crown, in her own assemblies, to the utmost of her ability, towards the expences of the wars in which, conjointly with England, she had been involved; that, in the course of the last memorable contest, large sums had been repeatedly voted by parliament, as an indemnification to the colonies for exertions which were allowed to be disproportionate to their means and resources*; that the proper

* In the month of February 1756, the sum of 115,000 *l.* was voted by parliament, as a free gift and reward to the colonies of New England, New York, and Jersey, for their past services, and as an encouragement to continue to exert themselves with vigor; May 1757, 50,000 *l.* was in like manner voted to the Carolinas; and in 1758, 41,000 *l.* to the Massachusetts and Connecticut. April 1759, 200,000 *l.* was voted as a compensation to the respective colonies in North America—March 1760, 200,000 *l.*—1761, 200,000 *l.*—1762, 133,000 *l.*—1763, 133,000 *l.*—in all, one million seventy-two thousand pounds. Exclusive, however, of these indemnifications, and of the extraordinary supplies granted in the different colonial assemblies, a debt of above two mil-

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compensation to Britain for the expence of rearing and protecting her colonies, was the monopoly of their trade, the absolute direction and regulation of which was universally acknowledged to be inherent in the British legislature." It was however clearly intimated, that a specific sum, in lieu of all other claims, might be obtained from the colonies, if accepted as a voluntary offering, not as a revenue extorted by a tyrannical and lawless force, which left them no merit in giving, and which might ultimately leave them nothing to give.

The argument or pretext which appeared to excite most indignation in the breast of the Americans, and of their advocates, was that which affected to deem them *already represented*; and as being, if not actually, yet virtually included in the general system of representation, in the same manner as that very large proportion of the inhabitants of the British island who have no votes in the election of members or representatives in the British parliament. "The very essence of representation," said

lions and a half had been incurred by America during the war; and this debt was far from being as yet liquidated. But it might be inferred from the conduct of the present ministry, that the most trivial revenue *extorted* from America was deemed preferable to the largest sums freely and voluntarily granted.

America, "consists in this—that the representative is himself placed in a situation analogous to those whom he represents, so that he shall be himself bound by the laws which he is entrusted to enact, and liable to the taxes which he is authorized to impose. This is precisely the case with regard to the national representation of Britain. Those who do, and those who do not elect, together with the elected body themselves, are, in respect to this grand and indispensable requisite, upon a perfect equality—that the laws made, and the taxes imposed, extend alike to all. Where then, in this case, is the danger of oppression, or where the inducement to oppress? But in the case of American taxation, these *mock representatives* actually relieve themselves in the very same proportion that they burden those whom they falsely and ridiculously pretend to represent. Where then, in this case, is the security against oppression; or where is the man so weak and prejudiced, as not to see the irresistible tendency of this system to oppression, however honest and upright candor would represent the intentions of those by whom it should be originally established?

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It is painful to reflect, how little influence these clear and irrefragable reasonings had in an assembly so intelligent and dignified as that

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of the parliament of Great Britain. Jealous in the highest degree, in common with all other bodies of men in whom power is vested, of the slightest violation of their authority, they unanimously concurred, however divided on other points, in not suffering the memorials which questioned their jurisdiction to be read in the house of commons. The minister indeed proposed, that the colonial agents might be indulged in being heard at the bar of the house by counsel, contrary to the usual parliamentary practice, against the tax, in behalf of their respective colonies; but this was refused as derogatory to the honor of the colonies, who would not on this occasion petition, but protest; and the STAMP ACT, after passing through the usual forms, and confiding in the support of great and decisive majorities, received at length the royal assent.

The opposition to this famous act, though weak in respect to numbers, was nevertheless unusually ardent and animated. General Conway, with the magnanimous firmness of an ABDIEL, singly protested against the *right*; and colonel Barré, a speaker of great eminence in the house, in reply to the reflections of Mr. Charles Townshend on the pretended ingratitude of the Americans, whom he styled "children planted by our care, and nourished by our

indulgence," broke out into a most eloquent and indignant exclamation—"They planted by your care!" said he, "No—your oppressions planted them in America—they fled from your tyranny to a then uncultivated and inhospitable wilderness, exposed to all the hardships to which human nature is liable. They nourished by your indulgence!—No; they grew by your neglect of them: your *care* of them was displayed, as soon as you began to care about them, in sending persons to rule them who were the deputies of deputies of ministers—men whose behaviour on many occasions has caused the blood of those sons of liberty to recoil within them—men who have been promoted to the highest seats of justice in that country, in order to escape being brought to the bar of a court of justice in their own. I have been conversant with the Americans, and I know them to be loyal indeed; but a people jealous of their liberties, and who will vindicate them if ever they should be violated: and let my prediction of this day be remembered, that the same spirit of freedom which actuated that people at first, will accompany them still." The house sat awhile apparently hesitating and amazed, but the event shewed how transient was the impression. BOOK XIV. 1765.

An occasional indisposition of the king exciting

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much alarm, in the possible prospect of a long minority, for which no public provision had been made, on the 22d of April, 1765, the king went in state to the house of peers, and in a speech to both houses of parliament, recommended to their serious attention, the making such provision as would be necessary in case any of his children should succeed to the throne before they should respectively attain the age of eighteen years. In consequence of this recommendation, a bill was brought into the house of lords, framed on the plan of the regency act of the twenty-fourth of the late king, empowering his majesty to appoint, by instrument in writing under his sign manual, either the queen, or *any other person of his royal family* usually resident in Great Britain, to be regent of these kingdoms, until the successor to the crown shall attain the age of eighteen years. The council of regency to consist of the dukes of York and Gloucester; the princes Henry Frederic and Frederic William, brothers to the king; William Augustus duke of Cumberland, uncle to his majesty; and the great officers of state for the time being.

Regency bill.

Some remarkable circumstances attended the origin and progress of this bill. It was understood to be introduced into parliament officially only, the ostensible ministers not having been previously or confidentially consulted on the subject.

A doubt arising on the question, "Who were the royal family?" it was explained by the law lords to be the descendants of king George II.; and in this construction lord Halifax, the secretary of state, most readily acquiesced, declaring it to be perfectly consonant to the royal intention. In this point, however, his lordship appeared to be egregiously mistaken; for when the bill was transmitted to the commons, a motion was made by Mr. Morton, a confidential friend of the earl of Bute, to insert the name of her royal highness the princess dowager of Wales, the omission of which was declared to be a gross indignity offered to a princess who merited the esteem and *gratitude* of the English nation. The bill accordingly passed with this important amendment; but it soon appeared that a very deep resentment was harbored by the princess at the conduct of the ministers in the whole of this transaction, which she considered as an open and flagrant affront, instigated by a malicious and insidious design on their part to exclude her altogether from the future eventual administration of affairs. It must be acknowledged, that the conduct of the ministry relative to the regency bill was calculated to excite great and just resentment on the part of the king and the princess of Wales; and it is strongly indicatory of that littleness of mind by which Mr. Grenville was characterized.

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If it were seriously the opinion of this minister and his colleagues, that the princess was unfit for the office of regent, it was incumbent upon them fairly and explicitly to have stated their objections in council previously to the introduction of the bill. But to suffer the bill to be introduced under the general presumption that the princess was comprehended in it, and afterwards to permit, and almost to invite, a gross affront to be passed upon her, by countenancing a construction which excluded her not only from the eventual chance of the regency, but from the actual distinctions of royalty, was a mode of conduct destitute of candor, incompatible with equity and honor. A resolution was immediately formed by the cabinet of Carlton-house, to discard the present ministers. For this purpose it was necessary to make overtures either to Mr. Pitt or the duke of Newcastle, the leaders of the two great parties now in opposition.

At the latter end of May (1765) the duke of Cumberland held a conference with lord Temple and Mr. Pitt, at Hayes, and acquainted them that the king had resolved to change his ministers, and wished to engage his lordship, Mr. Pitt, and their friends, in his service; but first the duke requested "to know the conditions." Mr. Pitt with warmth assured his royal highness, "that he was ready to go to St. James's on this

proviso—that he could carry the constitution along with him." The result of the conference not being satisfactory, it became a matter of indispensable necessity to continue for some time longer the present ministers in office. But Mr. Grenville, now thoroughly apprised of the hostile resolutions of those who directed the interior cabinet, and presuming on their present inability to carry their designs into execution, kept no measures with the court, and insisted, in concert with the duke of Bedford and his other colleagues, upon the immediate dismission of Mr. Stuart Mackenzie, lord privy seal of Scotland, brother to the earl of Bute; the duke of Northumberland, whose son had recently married the daughter of lord Bute; and Mr. Fox, his constant and powerful parliamentary advocate, now created lord Holland. And the duke of Bedford is said to have made personally to the king, warm and indignant remonstrances against that system of baseness and duplicity of which his majesty's ministers found themselves the victims.

Another advance was now made on the part of the court, to gain over Mr. Pitt and lord Temple, who, by command, waited on his majesty together at the Queen's palace (June 25), but without effect—the brother patriots insisting upon a total change of men, measures, and counsels; whilst on the part of the court it was made

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an indispensable condition, that the "king's friends" who held subordinate offices should be permitted to continue in their present situations.

His majesty being resolved at any rate to part with his present ministers, now at open war with the cabinet of Carlton-house, the duke of Cumberland was again applied to; and a negotiation being opened, through his mediation, with the duke of Newcastle, the arrangements for a new administration were in a short time settled. His grace, unable to sustain the fatigues and cares of the department he had formerly occupied, now chose for himself the honorable sinecure of lord privy seal, to which, in consideration of past services and obligations, was now for the first and last time annexed *the patronage of the* CHURCH.

Marquis of Rockingham first minister.

The marquis of Rockingham, a nobleman of great probity and clear understanding, of just and generous sentiments, and of amiable and conciliating manners, was placed at the head of the treasury; Mr. Dowdeswell, a man of sterling talents and inflexible virtues, equally a stranger to the artifice and servility of courts, being appointed chancellor of the exchequer. The earl of Northington was confirmed in his post as chancellor of Great Britain, and lord Egmont as first lord of the admiralty. Lord Winchilsea succeeded the duke of Bedford as president of the council; and the seals, lately in the possession of the earls

of Sandwich and Halifax, were transferred to the duke of Grafton (a young nobleman distinguished by his parliamentary talents, and who had early attained to an high degree of political eminence), and general Conway, a name of unsullied honor, upon whom the task of conducting the business of government in the house of commons chiefly devolved. The earl of Hertford, brother to the general, superseding the earl of Bristol, who had been nominated successor to the duke of Northumberland in the government of Ireland. BOOK XIV. 1765.

Lord Temple condemned in terms of bitterness and acrimony, and Mr. Pitt with more decorum and reserve, the acceptance of the new ministers. Had the duke of Newcastle and his friends been proof against the temptations and allurements of office, it was said that an effectual termination must have been put to the secret reign of the Favorite; whereas now his influence was at the most but suspended until a more suitable opportunity offered for making another display of his power and versatility. And the nation at large, though not unwilling to acknowledge the merits of the present ministers, were astonished and displeased to see a new arrangement of administration formed on whig principles, from which lord Temple and Mr. Pitt were excluded. On the other hand, the ministers complained of

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the inflexibility of men who, when great constitutional points might be with certainty secured, would not scruple to put all to the hazard rather than accede to the terms of reasonable accommodation.

Death of the duke of Cumberland.

The duke of Cumberland, who had been for some time in a declining state of health, died of a fit of apoplexy on the last day of October, 1765, in the 45th year of his age. This prince being the youngest of the numerous family of king George II. Louisa queen of Denmark excepted, and not born till some years after the accession of the house of Hanover, and happily not being sent to Germany for education, might boast that his heart was truly English. His personal and public virtues rendered him highly respectable, and by his victory at Culloden, he rendered his name memorable to future times.

1766. Session of parliament.

On the 14th of January, 1766, the parliament was convened for the dispatch of business, and their attention was immediately excited and engrossed by the disturbances and tumults which had taken place in almost all parts of the continent of America, in consequence of the STAMP ACT passed in the last session. As the question relative to this famous act was chiefly a contest of principle, it is scarcely worth while to remark the absurdity and oppression arising from the nature and regulations of the act itself, and which

afforded a most striking and hideous specimen of the despotism which would be eventually exercised when the new system should be fully established. Such was the difficulty, in a country so thinly peopled, in proportion to its extent, as America, to procure the necessary stamps, that the cost of obtaining them from the distributors was in many parts said to be tenfold the amount of the duty. By the provisions of the act, the prosecutor might bring his action against the supposed delinquent in a court situated at one extremity of the continent, though the trespass were committed, more than fifteen hundred miles distant, at the other; yet the defendant, should the plaintiff be cast, could obtain no damages, if the judge should certify that there was a *probable foundation* for the prosecution. The judge moreover had an evident interest in procuring a verdict for the plaintiff, being allowed a large proportion of the penalty in case of conviction. Well might it be asked, "whether the most abject vassals of the most tyrannic government would passively submit to so humiliating a yoke?"

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An execrable clause offered by the minister, to enable the American governors to quarter the soldiery in private houses, for the purpose of enforcing this act, was, greatly to the honor of the house, unanimously rejected; but it serves to shew what culpable means an honest man, for

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such was Mr. Grenville, will sometimes not scruple to adopt, when blinded by prejudice or passion, and obstinately bent on the accomplishment of a favorite design. The system of Britain, with relation to the colonies, was from the beginning merely that of commercial monopoly and restraint. This principle runs through a great variety of acts of parliament passed from 1660 to 1764. The idea of a parliamentary colonial revenue never once appears to have been in contemplation. Though duties were imposed upon America in the reigns of Charles II. and King William, they do not carry the title or import the idea of being "aids to his majesty," according to the invariable form of revenue acts; nor are the words, "give and grant," to be found in them. In the act of the 6th George II. these last words indeed intruded themselves; but they were a mere dead letter. The trivial and incidental produce of these duties was not appropriated. They were universally and solely regarded in the light of regulating duties. Governor Bernard expressly says of this act, in a letter written 1763, the new system being then only in contemplation, "it was an act of prohibition, not of revenue." In his ninth printed letter, dated November, 1765, he says: "It must have been supposed that such an INNOVATION as a parliamentary tax, would cause a great alarm, and

meet with much opposition in most parts of America. It was QUITE NEW to the people, and had no visible bounds set to it." After stating the critical situation of affairs in the colonies at that period, he exclaims, "Was this a time to introduce so great a novelty as a parliamentary inland tax in America!" To the disadvantages attending this commercial monopoly, America had submitted, not merely with patience, but cheerfulness. It was doubtless a system of oppression, but it was oppression blended and softened by every species of protection and favor that could render their connexion with Britain desirable. They possessed the powers of internal taxation and legislation; their civil constitutions were framed on the freest and happiest models. Great Britain, by a noble negligence, seemed in fact desirous of devolving upon themselves the care of providing for their own welfare. Under this system, the colonies flourished and prospered with such rapidity, as to mock all calculations founded on abstract speculation or historic experience. Rather did they present the image of nations established on the continent of America for centuries, than the colonies of yesterday; "than the descendants of a set of miserable outcasts, not so much sent as thrown out, a few years ago, on the bleak and barren shores of a desolate wilderness, 3000 miles from all civi-

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lised intercourse." Of this system the malignant genius of a Bute alone could devise the subversion; and the perverse understanding and obstinate perseverance of a Grenville were unfortunately at hand to undertake the execution.

Upon receiving authentic intelligence that the vote of the preceding year was converted into an act of the legislature, the portentous melancholy which had universally prevailed, was on a sudden converted into fury, and broke out every where into deeds of violence. The ships in the harbour of Boston hung out their colours half mast high, as a signal of the deepest distress. The bells of the churches throughout the city, being muffled, rang out a dumb peal. The act itself, as soon as it came from the king's printing-house, was burnt by the populace, with the effigies of the men most active in passing it. The masters of those vessels which had conveyed the stamps to America, were compelled to deliver up their execrated cargoes to an enraged multitude, who treated them with the same ignominy which the act itself had experienced. Those who had accepted commissions to act as distributors of stamps were forced, by public oath, to renounce all concern in them at this or any future juncture; and in some instances, the houses of those who were most obnoxious were demolished, and their effects plundered or destroyed. The justices of the

peace in many parts gave public notice, that they would never, by acting in that capacity, be instrumental to the subversion of their country's liberties; the gentlemen also of the law, fired by the same patriotic enthusiasm, universally renounced, in the exercise of their profession, the use of the British stamps. But the most alarming opposition was made by the merchants, who entered into solemn engagements not to import any more goods from Great Britain till the stamp act was repealed. By the 1st of November (1765), the day on which the act was to take place, not a sheet of stamped paper was to be found throughout the colonies; so that all business which could not be legally carried on without stamps, was entirely at a stand. Every where the courts of justice were shut, and the ports closed. The assembly of Virginia being sitting when the stamp act arrived, it became immediately the subject of the most vehement debate ever known since the foundation of the settlement. Mr. Henry, a leading member of the assembly, declaiming with bitterness against the arbitrary system now adopted by Great Britain, and its natural consequences, said, "Cæsar had his Brutus, Charles I. his Cromwell, and George III.——" The court party prevented his proceeding, by the cry of "Treason! treason!" Resolutions being finally passed by the house, decla-

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ratory of their rights, political and civil, the assembly was immediately dissolved by the governor. The provincial assemblies in general, far from taking any effectual measures to enforce submission to the act, passed resolutions in opposition to it, declaratory of their constitutional and unalienable rights, and established committees to correspond and advise concerning the common affairs of the continent. From these committees delegates were appointed, who, meeting at New York, unanimously concurred in framing and publishing a sort of manifesto, expressive of their grievances.

A great variety of papers were, by order of the king, laid before parliament, relative to these alarming transactions; and in that spirit of equity, moderation, and justice, which denoted the prevalence at this period of the maxims and counsels of genuine whiggism, his majesty declared, in his speech to the two houses, "his firm confidence in their wisdom and zeal, which would, he doubted not, guide them to such sound and prudent resolutions, as might tend at once to preserve the constitutional rights of the British legislature over the colonies, and to restore to them that harmony and tranquillity which had lately been interrupted by disorders of the most dangerous nature. "I have," said the monarch, "nothing at heart but the assertion of

legal authority, the preservation of the liberties of all my subjects, the equity and good order of my government, and the concord and prosperity of all parts of my dominions." The mild policy which dictated this excellent speech, was by the late ministers and their partisans made the theme of their reproach and invective. The numerous petitions presented to the house from the principal commercial cities of the kingdom, for the repeal of the stamp act, were falsely and ridiculously represented as the effects of ministerial artifice. "Let the distress of the mercantile part of the community be, however, what it may," they exclaimed, "it ought to be submitted to, rather than by a repeal of the act to *hazard* the total loss of the just superiority of Great Britain over the colonies;" for, seeing with inverted optics, they were wholly insensible that it was only by obstinately persisting in the system of folly and oppression already begun, that the just authority of Britain would be really and truly *hazarded**.

* In the same spirit of blind and deplorable infatuation has the exclamation been recently repeated, "perish our commerce, but let our constitution live!" whilst, in fact, the measures in question were at both periods equally subversive of commerce and constitution. The celebrated earl of Chesterfield, who had long retired from public life, but who still possessed, unimpaired, all his intellectual faculties, in a letter written at this period, says, with his usual good sense and dis-

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In the course of the debate on the motion of address, Mr. Pitt rose to offer his sentiments on the present alarming situation of affairs. He pronounced every capital measure taken by the late ministers to have been entirely wrong. As to the present ministers, though he acknowledged them to be men of fair characters, and such as he was happy to see engaged in his majesty's service, he professed, that he could not give them his confidence. "Confidence," said he, "is a plant of slow growth in an aged bosom: youth is the season of credulity. By comparing events with each other, reasoning from effects to causes, methinks I plainly discover the traces of an overruling influence. I have had the honor to serve the crown; and, could I have submitted to *influence*, I might still have continued to serve; but I would not be responsible for others. I have no local attachments. It is indifferent to me, whether a man was rocked in his cradle on this side or that side of the Tweed. I countenanced and protected merit wherever it was to be found. It is my boast, that I was the first minister who sought for it in the mountains of the North—I

cernment, in reference to the affairs of America, "The opposition are for taking vigorous, as they call them, but I call them violent, measures—not less than *dragonades*. For my part, I never knew a froward child mended by whipping, and I would not have the mother country become a stepmother."

called it forth, and drew into your service an hardy and intrepid race of men, who were once dreaded as the inveterate enemies of the state. When I ceased to serve his majesty as a minister, it was not the country of the man by which I was moved, but the man of that country held principles incompatible with freedom. It is a long time, Mr. Speaker, since I have attended in parliament; when the resolution was taken in this house to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have solicited some kind hand to have laid me down on this floor, to have borne my testimony against it. It is my opinion, that the kingdom has NO RIGHT to lay a tax upon the colonies. At the same time, I assert the authority of this kingdom to be sovereign and supreme in every circumstance of government and legislation whatsoever. Taxation is no part of the governing or legislative power; the taxes are a voluntary gift and grant of the commons alone. The concurrence of the peers and of the crown is necessary only as a form of law. This house represents the commons of Great Britain. When in this house we give and grant, therefore, we give and grant what is our own; but can we give and grant the property of the commons of America? It is an absurdity in terms. There is an idea in some, that the colo-

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nies are virtually represented in this house. I would fain know by whom? The idea of virtual representation is the most contemptible that ever entered into the head of a man; it does not deserve a serious refutation. The commons in America, represented in their several assemblies, have invariably exercised this constitutional right of giving and granting their own money; they would have been slaves if they had not enjoyed it; at the same time, this kingdom has ever possessed the power of legislative and commercial control. The colonies acknowledge your authority in all things, with the sole exception that you shall not take their money out of their pockets without their consent. Here would I draw the line, *quam ultra citraque nequit consistere rectum.*" After some minutes of profound silence, Mr. Grenville stood up, and, with all the systematic obstinacy of a sincere but cloudy and narrow mind, entangled in the web of its own sophistry, entered into a labored vindication of the measures of his administration. He asserted, that the tumults in America bordered on open rebellion; and if the doctrine promulgated that day were confirmed, he feared they would lose this name to take that of revolution. He affirmed taxation to be a branch of the sovereign power, and that it had been frequently exercised over those who were never represented: it was exercised over the East India and other chartered companies, over

the proprietors of stock, and over many great manufacturing towns. It was exercised over the palatinate of Chester, and the bishopric of Durham, before they sent representatives to parliament. He appealed for proofs to the preambles of the act which gave them representatives, and which, by his desire, were read to the house. He said, that when he proposed to tax America, the *right* was by no one called in question. Protection and obedience were reciprocal: Great Britain protects America; America is therefore bound to yield obedience. "If not, tell me," said he, "when were the Americans emancipated? The seditious spirit of the colonies owes its birth to the factions in this house. We were told we trod on tender ground; we were bid to expect disobedience: what was this but telling America to stand out against the law? to encourage their obstinacy with the expectation of support from hence? Ungrateful people of America! The nation has run itself into an immense debt to give them protection; bounties have been extended to them; in their favor the act of navigation, that palladium of the British commerce, has been relaxed; and now they are called upon to contribute a small share towards the public expence, they renounce your authority, insult your officers, and break out, I might almost say, into open rebellion."

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Mr. Pitt, fired with disdain and resentment, immediately rose to reply, but was called to order by lord Strange, as having already spoken; the privilege of speaking a second time being allowed only in a committee. But the house resounding with the cry of GO ON, he proceeded with an animation and enthusiasm which no art or study can imitate, spontaneously flowing from the consciousness of great talents engaged in a just and noble cause. "Sir," said he, addressing the speaker, "a charge is brought against gentlemen sitting in this house, for giving birth to sedition in America. The freedom with which they have spoken their sentiments against this unhappy act, is imputed to them as a crime; but the imputation shall not discourage me. It is a liberty which I hope no gentleman will be afraid to exercise; it is a liberty by which the gentleman who calumniates it might have profited. He ought to have *desisted from his project*. We are told America is obstinate—America is almost in open rebellion. Sir, I REJOICE that America has resisted; three millions of people so dead to all the feelings of liberty, as voluntarily to submit to be slaves, would have been fit instruments to make slaves of all the rest. I came not here armed at all points with law cases and acts of parliament, with the statute-book doubled down in *dog's ears*, to defend the cause of liberty;

but for the defence of liberty upon a general, constitutional principle: it is a ground on which I dare meet any man. I will not debate points of law: but what, after all, do the cases of Chester and Durham prove, but that under the most arbitrary reigns, parliament were ashamed of taxing a people without their consent, and allowed them representatives? A higher and better example might have been taken from Wales: that principality was never taxed by parliament till it was incorporated with England. We are told of many classes of persons in this kingdom not represented in parliament; but are they not all virtually represented as Englishmen resident within the realm? Have they not the option, many of them at least, of becoming themselves electors? Every inhabitant of this kingdom is necessarily included in the general system of representation. It is a misfortune that more are not actually represented. The honorable gentleman boasts of his bounties to America —Are not these bounties intended finally for the benefit of this kingdom? If they are not, he has misapplied the national treasures. I am no courtier of America—I maintain that parliament has a right to bind, to restrain America. Our legislative power over the colonies is sovereign and supreme. The honorable gentleman tells us, he understands not the difference between in-

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ternal and external taxation; but surely there is a plain distinction between taxes levied for the purpose of raising a revenue, and duties imposed for the regulation of commerce. 'When,' said the honorable gentleman, 'were the colonies emancipated?' At what time, say I in answer, were they made slaves? I speak from accurate knowledge when I say, that the profits to Great Britain from the trade of the colonies, through all its branches, is two millions per annum. This is the fund which carried you triumphantly through the last war; this is the price America pays you for her protection; and shall a miserable financier come with a boast that he can fetch a pepper-corn into the exchequer at the loss of millions to the nation? I know the valor of your troops—I know the skill of your officers—I know the force of this country; but in such a cause your success would be hazardous. America, if she fell, would fall like the strong man; she would embrace the pillars of the state, and pull down the constitution with her. Is this your boasted peace? Not to sheathe the sword in the scabbard, but to sheathe it in the bowels of your countrymen? The Americans have been wronged—they have been driven to madness by injustice. Will you punish them for the madness you have occasioned? No: let this country be the first to resume its prudence and temper:

I will pledge myself for the colonies, that, on their part, animosity and resentment will cease. Let affection be the only bond of coercion. The system of policy I would earnestly exhort Great Britain to adopt in relation to America, is happily expressed in the words of a favorite poet: BOOK XIV. 1766.

Be to her faults a little blind,
Be to her virtues very kind;
Let all her ways be unconfin'd,
And clap your padlock on her mind. PRIOR.

Upon the whole, I will beg leave to tell the house in a few words what is really my opinion. It is, "that the stamp act be repealed, ABSOLUTELY, TOTALLY, and IMMEDIATELY."

In a short time a bill was brought in by the new ministers for this purpose, which, after a very vehement opposition, passed both houses by considerable majorities, and received the royal assent; accompanied at the same time with a DECLARATORY ACT, asserting the power and right of Great Britain to bind the colonies in all cases whatsoever. Stamp act repealed.

Although, in reply to lord Chatham's charge of a secret, over-ruling influence, general Conway had, on the first day of the session, declared "that he saw nothing of it—that he felt nothing of it;" the division which took place on the question of repeal, in which 33 lords holding places civil or military under the crown, voted in

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opposition, probably quickened his discernment. And though the general himself had been formerly dismissed from his offices, solely in consequence of the vote which he gave respecting general warrants, lord Bute and lord Orford now retained their rangerships; lord Pembroke, lord Waldegrave, &c. their regiments; and the lords Denbigh, Coventry, Oxford, &c. &c. their keys of the bed-chamber. On the question of the declaratory bill, Mr. Pitt in the lower, lord Camden in the upper house, each of himself an host, gave their decided opposition to the principle of it. But this bill militated little against the practical benefits derived from the repeal of the stamp act. Dr. Franklin, in his famous examination at the bar of the house of commons, professed his opinion, that abstract resolutions of right would give the colonies very little concern, if no apprehension were entertained that attempts would be made to carry them into practice. On being asked, what was the temper of America towards Great Britain before the year 1763, he replied, "The best in the world. They submitted willingly to the government of the crown, and paid, in all their courts, obedience to acts of parliament. Numerous as the colonists are, they cost Great Britain nothing in forts, citadels, garrisons, or armies, to keep them in subjection: they were governed only at the ex-

pence of a little ink and parchment. They had not only a respect, but affection, for Great Britain, for its laws, its customs, manners, and even fashions; and to be a native of Old England, was itself a sort of claim and title to distinction among them."—In his attempts to force his wretched innovations upon America, Mr. Grenville must surely have been actuated by the very demon of folly! The repeal was carried by 275 to 167 voices. Amongst the signatures affixed to the protest against the bill of repeal in the house of peers, it must excite a sigh to see such names as Bedford, Temple, and Lyttelton. BOOK XIV. 1766.

The joy of America was extreme at the intelligence of this repeal; and the mere declaration of an *abstract right*, which they imagined to be, with respect to the claim of taxation, *in fact* relinquished, and which seemed chiefly intended as a salvo for the honor of parliament, gave them, as the sage Franklin had predicted, little apprehension or uneasiness; and it was not till after an interval of several years, when the colonies had been harassed and wearied out by a long series of vexations and encroachments on their established privileges, that the assembly of Massachusetts at length, by a formal resolution, voted the declaratory act to be *a grievance*. The mere assertion of the claim, though harshly expressed, would have excited no serious discon-

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tent, had the authority of Great Britain been exercised in the old constitutional and regular mode: and the council of the Massachusetts, with a degree of wisdom which it would have been happy if the parliament of Great Britain had deigned to imitate, say in their excellent answer to the bold political dogmas advanced in a studied speech by the governor: "If, from the nature and end of government, the supreme authority of government must be limited, the supreme authority of parliament must be limited; and the inquiry will be, what are the limits of that authority with regard to this colony? To fix this with precision, to determine the exact lines of right and wrong in this case, as in some others, is difficult, and we have not the presumption to attempt it.

Exclusive of the merit of carrying into execution, in contempt of the reproaches and clamors of the late rash and blundering ministers, this wise and conciliatory measure, the present administration, in the general tenor of their conduct, acted in a manner which reflected the highest credit on their integrity and understanding. The declaratory act, however theoretically disputable, served to display their solicitude to sustain the honor of the nation; which was made farther apparent by an act passed under their patronage, requiring compensation to be

made by the American assemblies to those who had suffered by the riots consequent on the stamp act*. The cider tax, so odious to the nation,

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* The act repealing the stamp act, when transmitted to America, was accompanied by a circular letter to the governors of the several provinces, by Mr. secretary Conway, written in that firm and temperate style which was at once calculated to maintain the honor of government, and to appease the discontents and apprehensions of the people. In a very important separate dispatch to sir Francis Bernard, governor of the Massachusetts, this minister says: "Nothing will tend more effectually to every conciliating purpose, and there is nothing therefore I have in command more earnestly to require of you, than that you should exert yourself in *recommending* it strongly to the assembly, that full and ample compensation be made to those who, from the madness of the people, have suffered for their deference to the acts of the British legislature." Notwithstanding the moderation which now pervaded the English councils, and which dictated the dispatch received by the governor, it is very remarkable that the speech by which sir Francis Bernard opened the next general court of the Massachusetts, June 1766, breathes the spirit of haughtiness, irritation, and discord. "He declares the justice and humanity of this *requisition* to be so forcible that it cannot be controverted. The *authority* by which it is introduced, should preclude all disputations about complying with it." In a tone of reproach he adds: "Both the business and the time are most critical. Let me entreat you to recollect yourselves, and consider well what you are about. Shall the private interests, passions, or resentments of a few men, deprive this whole people of the great and manifold advantages which the favor and indulgence of their sovereign and his parliament are now providing for them? Surely, after his ma-

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was, in the course of the session, as to its most obnoxious clauses, and so far as its operation extended to private individuals, repealed. The oppressive and justly unpopular duty on windows was modified and mitigated. General warrants were, by a resolution of the house of commons, declared illegal;—various useful and important regulations made in the West India

Cider tax modified.

General warrants declared illegal.

Beneficial regulations of trade.

jesty's COMMANDS are known, the very persons who have created the prejudices and prepossessions I now endeavour to combat, will be the first to remove them." It did not appear, by their subsequent conduct, that the assembly were at all disposed to resist the *recommendation* enjoined in the letter of the secretary, which, in their reply to the governor, they declare their resolution to embrace the first convenient opportunity to consider and act upon. But, highly offended at the general strain and tenor of the governor's speech, they add, "In the mean time we cannot but observe, that it is conceived in much higher and stronger terms in the speech than in the letter. Whether in thus exceeding, your excellency speaks from your own authority or a HIGHER, is not with us to determine. If this *recommendation*, which your excellency terms a *requisition*, be founded on so much justice and humanity that it cannot be controverted; if the *authority* with which it is introduced should preclude all disputation about complying with it; we should be glad to know what freedom we have in the case? With regard to the rest of your excellency's speech, we are constrained to observe, that the general air and style of it savors much more of an act of free grace and pardon, than of a parliamentary address to the two houses of assembly; and we most sincerely wish your excellency had been pleased to reserve it, if needful, for a proclamation."

and American trade, and the many absurd and pernicious restraints imposed by the former ministry removed. Mr. Grenville, by the introduction of certain new and onerous clauses into the *hovering act*, and rigorously enforcing the execution of them; by stationing a long and formidable line of ships of war off the American coasts, had, as has been already intimated, in a great degree succeeded in his project of destroying the contraband trade from time immemorial carried on between the British colonies and the Spanish main, and which was in fact equally conducive to the prosperity, if not essential to the existence, of both. So opposite were the commercial politics of this weak and opinionated minister to those of his predecessor sir Robert Walpole, who, on being urged to adopt measures to the same effect, replied, "that he should think himself ill employed in such an attempt; for he was certain, that if America gained 500,000*l.* by this traffic, 250,000*l.* of it would find its way to England."

Treaty of commerce with Russia.

A new and beneficial treaty of commerce was also concluded with Russia; the long-contested affair of the Canada bills settled to the satisfaction of the holders; and strong and effectual remonstrances made to the French court for the more complete demolition of the harbour and fortifications of Dunkirk. Notwithstanding,

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however, the happy effects so visibly resulting from the general spirit and disposition, yet more than the acts of this administration, the tranquillity at home, and the reputation abroad, which they had already established; scarcely were the ministers fixed in their offices, than a secret resolution was taken to remove them. The repeal of the stamp act was a measure odious to the cabinet of Carlton-house, and it was incessantly inveighed against, both in and out of parliament, by the adherents and partisans of the Favorite—men who presumed to arrogate to themselves the appellation of the KING'S FRIENDS—as a dereliction of the honor and dignity of government.

"During the administration of the marquis of Rockingham," says a celebrated writer, "an attempt was made to carry on the government without the concurrence of the CABAL, and to restore the principles and policy of the whigs. But this was only a transient cloud. No one will doubt that such men were abhorred and violently opposed by the court faction, and that such a system could have but a short duration. This plan of FAVORITISM is the fountain of all those bitter waters of which the nation has been made so deeply to drink. There has not been one administration which has not sufficiently experienced the utter incompatibility of that faction with the public peace, and with all the

ends of good government; since, if they opposed it, they soon lost every power of serving the crown; if they submitted to it, they lost all the esteem of their country *."

Lord Bute, understanding the perfect concurrence of lord Temple with his brother Mr. Grenville, on the subject of American politics, and that he had even declared the repeal of the stamp act to be a virtual surrender of the authority of the British legislature over the colonies, determined upon making advances to his lordship in order to form a new administration. Lord Temple, who appears to have been a man upright, disinterested, sincere, possessing a high sense of honor, gracious in his manners, but stiff in his opinions, and endowed with a capacity not perhaps much more elevated than that of his brother the late minister, refused with little ceremony to hearken to any propositions from a quarter so obnoxious. During the progress of the bill of repeal through the house of peers, it was more than insinuated by the Favorite himself, that the repeal was a measure very disagreeable to the king;—upon which lord Rockingham asserted, that his majesty's approbation of the measure was clear and unequivocal. Notwithstanding which, lord Strange the next day re-

* Thoughts on the Causes of the Present Discontents, by Mr. Edmund Burke.

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peated the assertion, that the king highly disapproved the bill. On this lord Rockingham, greatly surprized, requested, at the next audience, his majesty's opinion in writing; but this was refused: and the new ministers were now convinced that they had lost, or rather, that they had never possessed, his majesty's confidence.

The duke of Grafton had consented to take the seals of secretary at the formation of the present administration, under the idea, and as he conceived the promise, that Mr. Pitt should hereafter, when disposed to come forward, be invited to take a part in it. But the dislike between lord Rockingham and Mr. Pitt had now risen to animosity: and the marquis, being at this crisis urged by the duke of Grafton to call in the potent aid of that great statesman, replied, "that there was no hesitation in him to declare, that he could *never* advise his majesty to call Mr. Pitt into his closet; that this was a fixed resolution to which he would adhere*." The duke immediately resigned the seals, "not from any objection," as he declared in parliament, "to the persons or measures of the present ministers, but because they did not possess that

* A conference took place April 22d (1766), between the marquis of Rockingham and the duke of Grafton, upon this subject, at which the precise words of the marquis, as stated in the narrative, were minuted down in writing by the duke.

efficiency which was essential to their success." Lord Rockingham himself was soon convinced of the impossibility of maintaining his ground, opposed as he was by a combination of interests so powerful. Receding, therefore, from the fixed resolution so indiscreetly formed, and with a view of effecting an accommodation equally important and desirable to both, an interview took place, at the end of the session, between that nobleman and Mr. Pitt. In the course of the conference, Mr. Pitt declaring "that for this purpose a transposition of offices would be necessary," and this expression being acknowledged to import the removal of lord Rockingham from the treasury, the negotiation was dissolved in its very commencement: and thus an opportunity most momentous to the interests of the country, of effectuating a general union of the whigs, was unhappily lost.

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Dismission of the marquis of Rockingham.

A difference arising soon after this between the majority of the cabinet and the chancellor lord Northington, respecting the plan or project of a constitution for the province of Canada, which the chancellor, naturally morose and surly, and who had never been cordially their friend, condemned in terms of indignation and intemperance, the junto of Carlton-house were again encouraged to renew their efforts for the forming of a new administration,

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for which purpose, and no doubt with a view to foment and inflame the subsisting animosities, it was determined to offer Mr. Pitt a *carte blanche*. Mr. Pitt being introduced to the king at Richmond (July 12), was told by his majesty, "that he had no terms to propose; he put himself entirely into his hands." Mr. Pitt now, in the fulness of exultation, sent immediately for lord Temple, then at Stowe, and acquainted him that, being empowered by his majesty to form an administration, he was desirous to see his lordship at the head of the treasury, he himself purposing to take the post of privy seal; at the same time producing a list of names destined to occupy the other great departments of government. Lord Temple said, "he did not conceive, from the tenor of the conference with which *he* also had been honored by the king, that Mr. Pitt was to be *absolute master*; if he had been previously so informed, he should not have given himself or Mr. Pitt the trouble of this visit, being determined to come in upon an equality with Mr. Pitt; and in case he were to occupy the most responsible place under government, he should insist upon the introduction of some of his friends into the cabinet; and he thought Mr. Pitt must be sensible he could not come in with honor, unless he was allowed his share of the nomination. It was his idea to

conciliate and unite all parties, which was the ground on which Mr. Pitt's former glorious administration had been erected; but if Mr. Pitt insisted upon a superior dictation, he desired the conference might be broken off, for that he would not submit to the proposed condition." Mr. Pitt, firm to his purpose, and dreading with reason, notwithstanding his personal regard for lord Temple, the predominance of the Grenville interest in the new cabinet, refused to recede in any point from the arrangement he had formed, and lord Temple finally withdrew, full of resentment.

The causes of this misunderstanding were very warmly discussed in various able political publications of the time, but which have long since passed into oblivion. In one of them, believed to have been written in the height of the contention under the immediate inspection of Mr. Pitt, the character of lord Temple is thus contemptuously delineated: "Lord Temple, though he has possessed some very considerable offices in the government, has never been remarkable for any astonishing share of abilities, and till his resignation with Mr. Pitt, on the accession of his present majesty, he was looked upon merely as a good-natured inoffensive nobleman, who had a very fine seat, and was always ready to indulge any body with a walk in his garden, or a look

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at his furniture. How he has suddenly commenced such a statesman as to be put in competition with Mr. Pitt, is not easy to determine; but so far is clear, that had he not fastened himself into Mr. Pitt's train, and acquired by his affinity such an interest in the history of that great man, he might have crept out of life with as little notice as he crept in, and gone off with no other degree of credit than that of adding a single unit to the bills of mortality."

In fact, though Mr. Pitt wished for the support of lord Temple, he was resolved not to sacrifice, or even to hazard, for the sake of that support, the great and fundamental principles of his policy. He viewed with inexpressible regret lord Temple's attachment to the American system of his brother George Grenville; and so long since as the month of January in the present year, he declared in express terms to the duke of Grafton, "that the differences in politics between lord Temple and himself, had never till now made it impossible for them to act upon one plan. But that he would answer that a difference upon this American measure, viz. the relinquishment or enforcement of the project of taxation, would in its consequences be felt for half a century at least; that if he was called upon to form a proper system, it must be with the two present secretaries, and the first lord of

the treasury; they co-operating willingly and confidentially." At the same time he, with his usual and characteristic decision, protested, "that he never would sit with lord George Sackville at the board of council, his restoration to which he regarded as an insult to the memory of the late king."

Duke of Grafton first minister.

At the latter end of July 1766, the duke of Grafton was appointed to the high office of first lord commissioner of the treasury; the right honorable Charles Townshend, a man of rising parliamentary reputation and brilliant talents, but capricious, insincere, intriguing, and wholly destitute of discretion or solidity, being made chancellor of the exchequer. The earl of Shelburne, in the room of the duke of Richmond, was nominated secretary of state for the southern department, general Conway being continued in possession of the northern. Sir Charles Saunders was placed at the head of the admiralty, in the room of lord Egmont; lord chief justice Pratt, who had been recently created lord Camden, was declared chancellor of Great Britain; the earl of Northington succeeded the earl of Winchilsea as president of the council; and Mr. Pitt, being advanced to the peerage by the title of the earl of Chatham, chose for himself the office of lord privy seal, vacated by the duke of Newcastle. The earl of Bristol was no-

Mr. Pitt created earl of Chatham, and lord privy seal.

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minated to the government of Ireland, of which he never took possession; the administration of affairs in that kingdom remaining with the lords justices, till, at a subsequent period, it was consigned to lord Townshend. Lord Rockingham retired from office with a character for pure and disinterested patriotism, and without securing place, pension, or reversion, to himself, or any of his adherents. The numerous addresses of approbation presented to this nobleman from the different cities and towns throughout the kingdom, on his unmerited dismission, sufficiently proved the high and just sense entertained of his eminent services. The merchants of London trading to the West Indies and North America, expressed their sentiments in a manner peculiarly respectful and flattering: "We beg leave," say they, "when, your lordship being no longer in a public station, we are exempt from even the suspicion of flattery, to express our sense of the essential benefits received during your lordship's administration; a period short indeed, but truly memorable for the noblest exertions of a patriot ministry in favor of the civil and commercial interests of these kingdoms; happily dispelling the threatening clouds which hung over us, and opening a system of commerce liberal and useful beyond all former example."

On lord Rockingham's retiring to his man-

sion in the north, he was met near the city of York by a cavalcade of 200 gentlemen. Addresses, during his residence there, were presented to him by the towns of Leeds, Halifax, Hull, Wakefield, and York, expressive of the highest respect, gratitude, and esteem. Such was at this period the happy ascendancy of whig principles in the nation, and such the contrariety between the court and country systems of politics. It is surely superfluous to say, that the new ministerial arrangement very ill accorded with the idea of that firm, efficient, and extended administration, which was calculated to restore the empire, weakened and distracted by the late political contentions and animosities, to its former enviable state of fame and felicity. Mr. Pitt, by imperiously insisting on the sole nomination of the cabinet ministers, appeared ambitious to secure to himself a monopoly of power; vainly and unreasonably presuming, that those who owed to his recommendation their advancement, would in all things submit themselves to his guidance and direction. The principal source of the *popular* discontent*, however, arose from the unexpected

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* The dissentions prevailing amongst the patriotic leaders of the opposition, or WHIG party, at this period, at once gratified the malignity and facilitated the manœuvres of the PANDEMONIUM of Carlton-house. The Newcastle, or

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circumstance of Mr. Pitt's acceptance of a peerage, in consequence of which he was supposed to be *gained over* by the court. He had been so

Rockingham connexion, acceding with improvident eagerness to the overtures of the court, after the positive rejection of the lords Chatham and Temple, quickly found their administration rested on a basis much too weak to be permanent. Lord Chatham, subsequently invested with full powers, instigated by ambition and resentment, fell into that fatal error which he afterwards so deeply and bitterly lamented. On the total failure of his high and sanguine expectations, he saw how greatly he had deviated from the path of true wisdom, in not adopting a plan of generous and liberal comprehension. In the celebrated pamphlet already quoted, are to be found many memorable observations relative to the system of court policy introduced at the accession of the present sovereign. "To secure to the court," says this then patriotic writer, "the unlimited and uncontrolled use of its own vast influence, under the sole direction of its own private favor, has for some years past been the great object of policy. For the future, court and administration were to be considered as things totally different. By this operation, two systems of administration were to be formed: one which should be in the real secret and confidence; the other merely ostensible, to perform the official and executory offices of the state. This COURT FACTION proceeded gradually, but not slowly, to destroy every thing of strength which did not derive its principal nourishment from the immediate pleasure of the court. *Mettre le roi hors de page* became a sort of watchword; as a foundation of their scheme, the CABAL have established a sort of *rota* in the court. All sorts of parties by this means have been brought into administration, from whence few have had the good fortune to escape without disgrace. In the beginning of

long distinguished by the title of THE GREAT COMMONER, and had on so many occasions professed himself the champion of the PEOPLE, that they had flattered themselves no other title could have for him equal attraction. He had now voluntarily dissolved that connexion which was formerly his pride and his boast. He was no longer *one of the people*; and the people, con- BOOK XIV. 1766.

each arrangement, no professions of confidence and support are wanting to induce the leading men to engage. But while the ministers of the day appear in all the pomp and pride of power, while they have all their canvas spread out to the wind, and every sail filled with the fair and prosperous gale of royal favor, they find, *they know not how*, a current which sets directly against them, which prevents all progress, which even drives them backwards. That the CABAL may be enabled to compass all the ends of its institution, its members are scarcely ever to aim at the high and responsible offices of the state. They are distributed with art and judgment through all the secondary but efficient departments of office, and through the households of all the branches of the royal family. If an attack be made upon one of this corps, immediately he flies to sanctuary, and pretends *to the most inviolable of all promises*. Conscious of their independence, they bear themselves with a lofty air to the exterior ministers. Like JANISSARIES, they derive a kind of freedom from the very condition of their servitude. They may act just as they please, provided they are true to the ruling principle of their institution. The name by which they chose to distinguish themselves, is that of the KING'S FRIENDS. The whole system, comprising the exterior and interior administrations, is commonly called, in the technical language of the court, *double cabinet*—in French or English, as you choose to pronounce it."

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ceiving their peculiar interests henceforth neglected, perhaps abandoned, no longer reposed their trust and confidence in him. Thus, what he gained in dignity he lost in popularity and power: and even impartial and dispassionate persons were of opinion, that though there was nothing in his acceptance of a peerage which necessarily implied a dereliction of principle, yet, in his peculiar circumstances, it afforded such a presumption of vanity and versatility as might easily excite, and in some degree excuse, the anger and prejudice now prevailing against him. But before we enter upon the interesting events which took place under the new administration, events so nearly affecting the welfare, and even the existence of the British empire in the West, it will be expedient to advert to those transactions in the East, which, in consequence of the astonishing successes of the English arms in India, must now be regarded as forming an essential part of the general history of the British nation.

Review of Indian transactions.

The WAR on the continent of HINDOSTAN terminated, as we have seen, in the entire subversion of the Gallic empire in the East. By the peace of Fontainebleau, Pondicherry, Chandernagore, and other settlements of France, had indeed been restored; but the ascendancy acquired by England was so great, that a political

competition could scarcely be said, in the present situation of things, to exist. The events succeeding the memorable revolution of 1757 in Bengal, and which it will now be proper, in a clear and summary manner, to recount, seemed, in splendor and magnitude, to surpass all former exploits, and to make the wonders recorded by ancient historians of Alexander and Lucullus credible. No sooner was Meer Jaffier Ally Khan invested with the sovereign authority as subah of Bengal, and its dependencies, than he appeared, as might well be expected, filled with all those apprehensions and jealousies of the English power by which his predecessor Su-Rajah Dowla had been actuated. He augmented his army by numerous levies, at the same time pleading inability to discharge the arrears due by treaty to the company. Being, however, compelled to take the field against Ramnarain, the nabob of Patna, who refused to acknowledge his authority, he found it necessary to solicit aid of the governor and council at Calcutta; and colonel Clive, by their order, accordingly joined him with his troops, first conditioning, that the revenues of the districts of Burdwan, Nuddea, and Houghly, should be assigned over in perpetuity to the company. On the approach of the subah and the English general, Ramnarain submitted, and was confirmed in his government most reluctantly by Meer Jaffier,

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through the mediation of colonel Clive, who saw that he might prove an useful check on the too great power of the subah. The *phirmaund* of the emperor now arrived, by which Meer Jaffier was declared lawful possessor of the subahdary, and colonel Clive was created an omrah of the empire; receiving also from the bounty of the emperor the titles of Zubdut-Ulmulk, Nusseers-Dowla, Sabut-Jung-Bahader; *i. e.* the Perfection of the Empire, the Sword of Victory, the Experienced Warrior.

On the 23d of June, 1758, the anniversary of the victory of Plassey, colonel Clive was nominated to the government of Bengal, and the subah paid him on this occasion a visit in person at Calcutta, where he was magnificently entertained, and returned, apparently well satisfied, to his capital of Moorshedabad. New causes of discord however, soon arose, to the elucidation of which a slight retrospective view of the affairs of the empire of Hindostan may be in some degree conducive, and even necessary. It is very remarkable that a throne so despotic as that of Dehli, and consequently so much and so perpetually exposed to the vicissitudes of fortune, should have been filled by four emperors only from the accession of Akber, A. D. 1555, to the death of Aurengzebe, 1707, an interval of 152 years; after which it became at once the sport and prey of the most

sudden and sanguinary revolutions. Behader-Shah, eldest son of Aurengzebe, after maintaining a bloody warfare against his brothers Azem and Khan Bulsh, which terminated in their destruction, governed the empire five years. The same scene of fraternal discord was, on his demise, renewed amongst the sons of Behader, over whom Jehaunder Shah, the eldest, obtained a short and temporary triumph, followed by his deposition eighteen months after his advancement. The authors of this revolution, Hussein Ali Khan and Abdoolla Khan, brothers, and omrahs of high rank and power, then placed Feroksere, son of the deceased Azem, upon the musnud*: but, on conceiving some jealousy of

* It was in the reign of this monarch, Feroksere, that the East-India company obtained the famous phirmaund of free trade with Hindostan. The embassy sent to the court of Dehli to solicit this privilege was for a long time unsuccessful, when an accident occasioned a sudden and fortunate conclusion to the negotiation. Feroksere was seized with a disorder which the skill of his own physicians could not cure. Reduced to extremity, he was prevailed upon to trust himself in the hands of Mr. Hamilton, surgeon to the embassy, who by a scientific operation, effected his perfect restoration to health. Feroksere, in the warmth of his gratitude, offered Mr. Hamilton the grant of any favor he chose to ask. Mr. Hamilton, instead of demanding rewards for himself, magnanimously besought the emperor to concede the phirmaund so long solicited by the company. This was instantly complied with, and

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his conduct, they caused him to be strangled, A. D. 1717; and in the space of a few months Ruffiel ul Durjat, Ruffiel ul Dowlah, and Mahomed Shah, all grandsons of Behader Shah, were successively declared emperors of Hindostan. The last of these, retaliating upon the perfidious omrahs by a policy equally perfidious, avenged himself by their deaths. But giving himself up on this event, apparently so favorable to the permanency of his authority, to the seductions of unlimited power, the famous Persian usurper, Nadir Shah, was incited to his ever-memorable invasion of India, which in its consequences shook the throne of the Moguls to its centre. Mahomed Shah died 1747, and was succeeded by his son Ahmed Shah. After seven years of calamity and confusion, Ahmed Shah was deposed by Ghazi, an omrah of the court, who set Allum-Guire, a lineal descendant of the great Aurengzebe, upon the throne of Hindostan. Eager to support the imperial authority against the influence of the omrah Ghazi, now created prime vizier, who meant to govern the empire in his name, Allum-Guire had the fatal

the fees of office remitted. On Mr. Hamilton's monument, still to be seen in the English burial-ground at Calcutta, is recorded this highly honorable incident of his life; and the memory of it will no doubt remain, when the marble monument is no more, engraven on history's imperishable tablet.—*Vide Scott's History of Dekkan.*

indiscretion to invoke the aid and assistance of Ahmed Abdalla, one of the chiefs of the Persian army under Nadir Shah, and who had, after his death, established an independent government in Candahar. An invasion took place, in which scarcely any difference could be perceived by the wretched emperor and his subjects, between the rapacity of an ally and the ravages of a declared enemy; and Allum-Guire saw the result of the desperate step he had adopted, in the destruction of his capital and the overthrow of the last remnant of the Mogul greatness. Delhi, the wonder of the East, for its magnitude, riches, and population, was sacked, plundered, and burnt; and the vizier was, after all, re-established in his authority and office. On the retreat of Abdalla to his own territories, Ghazi caused the unfortunate Allum-Guire to be assassinated, A. D. 1760. Abdalla then returned to Delhi, and once more laid waste the imperial demesnes, on pretext of avenging upon the vizier the death of the emperor. Shah Zadda, son and heir of Allum-Guire, dreading almost equally to fall into the hands of Abdalla or of Ghazi, took refuge in the dominions of Sujah ul Dowla, hereditary vizier of the empire, upon whom he was compelled to throw himself for protection. About this period the prince appeared unexpectedly in arms on the frontier of the subah Jaffier Ali Khan's dominions, having actually passed the

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Carumnassa, which is the boundary of the province of Bahar, and being on full march towards the city of Patna. Ramnarain, thinking this a fair and inviting opportunity to accomplish his own ambitious views, declared in favor of the prince. In this exigency, Meer Jaffier, not being able to depend on his native forces, who mutinously demanded the payment of their arrears, applied to the council of Calcutta for aid and assistance. Colonel Clive immediately put his troops in motion, and arrived at Moorshedabad the 20th of March, 1759. From this city he dispatched a letter to Ramnarain, reminding him, "that it was through his mediation he had been confirmed in his government; that he looked upon himself, therefore, as responsible to the subah for his fidelity; that if he offered to swerve from his duty, he should feel his utmost resentment; for which purpose he was marching towards him with all expedition." Intimidated by this letter, Ramnarain shut the gates of Patna against the prince, who, surprized and enraged at this sudden change, instantly commenced the siege of the city, which was on the point of surrender, when colonel Clive, whose army had marched 400 miles in twenty-three days, appeared in view. The prince immediately withdrew his army, which, notwithstanding its prodigious superiority of numbers, seemed to think it vain to contend. On the 10th of April the colonel entered Patna in

triumph, and, at the request of the subah, quickly reduced to submission the rajahs inhabiting the interior of the country, who had joined the Sha Zadda. This unfortunate prince, perceiving the colonel to be the grand and almost sole obstacle to his success, represented in a pathetic letter the peculiar wretchedness of his fate; "that, though born to a crown, the persecution of the vizier had not left him a spot to rest on; that he had no intentions against Meer Jaffier's life or government; that all he aimed at was to collect a force to make head against the vizier; and that, if it pleased God to favor his cause, the colonel might command any advantages for the company or himself." But the colonel, consulting with Ramnarain and the son of the subah, thought it dangerous that a prince of the blood should be allowed a refuge or asylum in any of the provinces; that it might prove a constant source of plots and conspiracies against the subah, would draw on him the resentment of the vizier, and finally involve the country in troubles. The colonel, therefore, in a respectful letter, informed the prince of the decision of the subah, under whose orders he professed to act; and on the 14th of January, 1760, colonel Clive, intending to return to Europe, resigned the command to colonel Caillaud at Moorshedabad.

Sha Zadda, hopeless of relief from the Eng-

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lish, took advantage of the absence of the commander; and, previous to the expected arrival of his successor, he attacked and totally defeated Ramnarain, and immediately re-invested Patna. But before the end of February, colonel Caillaud arriving with a large reinforcement of Europeans, the siege was again raised; and a general engagement taking place, the prince now, in consequence of the death of his father, declared emperor of Hindostan, by the name of Sha Allum, was defeated with loss, and compelled, not however without a vigorous resistance on his part, to retreat back to the Carumnassa. In the summer of 1760, Mr. Vansittart arrived at Calcutta as governor-general, and successor to colonel Clive: and in a select committee convened by him, September 15, and vested with the efficient powers of the council, a disposition appeared to adopt measures very opposite to those which had been of late pursued. It was said, "that in consequence of the recent successes of the prince's partisans in the city and vicinity of Dehli, his affairs wore a far more favorable aspect than formerly; that experience demonstrated, that repeated victories over the prince did not deprive him of the means of renewing his attempts; that the whole conduct of the subah, and of his son, had been in the highest degree unjust, treacherous, and ungrate-

ful; that no sooner was Meer Jaffier in possession of the government, than a party was formed at the durbar, headed by the young nabob, who were daily planning schemes to shake off their dependence on the English; and that the subah himself, weak and irresolute, too soon fell into these sentiments; that we had, in fine, drawn our swords in support of a family unworthy to reign, and this to the manifest hazard and ruin of the company's trade and concerns. It was therefore unanimously determined, that the entering into an alliance with the prince was a necessary and expedient measure; that to support him in his pretensions to the crown of Dehli will be, in its immediate consequences, the means of clearing Bengal of a dangerous enemy, and probably of ensuring ultimate success to his just claims on the empire; in which case, WHAT ADVANTAGES MAY NOT THE COMPANY EXPECT?" The principal obstacle to the accomplishment of this new project, was the irreconcilable enmity subsisting between the prince and the subah. It was believed that Meer Jaffier could by no arguments be induced to enter into these views; and that Sha Allum would not, without extreme reluctance, be prevailed upon to confirm the subah in his government. It therefore became a necessary part of the plan, to divest the subah of that authority which it was

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pretended he had so grossly abused; and it was secretly resolved to raise Cossim Ally Khan, his son-in-law, to the entire management of affairs, leaving to Meer Jaffier the mere name of subah. At a conference held by governor Vansittart with the subah, October 18th, 1760, he therefore presented to him a memorial, containing a long statement of the grievances and oppressions which had taken place under his government through the influence of evil counsellors, and *recommending* to him to nominate some co-adjutor in the government, on whose attachment and fidelity he might rely; insinuating, that Cossim Ally Khan was the most proper person to assist him in his present exigencies. "It evidently appears," says the governor in his memorial, "that your ministers, since the death of your son, the late Chuta nabob, regarding only their own interests, neglect the good of the country and the welfare of the subjects, and employ themselves in oppressing the poor, in rapine, violence, injustice, and iniquity*. When I saw the affairs of government in the hands of such

* Nevertheless, during the lifetime of the Chuta nabob, he was constantly represented as the chief cause of the disorders prevailing under the subah's government; and the dispatches of the times are filled with complaints of his civil and military misconduct. In the course of the late campaigns

unworthy men, and every thing tending still farther to ruin, I lifted up my eyes to heaven, and bewailed my strange fate, that Providence should send me into this country, at such a time, and in the midst of such calamities." The subah seemed much affected, and at length confessed himself, through age and grief, incapable, since the death of his son, of struggling against so many difficulties. On his departure, it was determined to take immediate and effectual measures to carry the purpose of the council into execution. 1766.

The 19th of October is celebrated amongst the Gentoos as a grand festival; and this being supposed a favorable circumstance to obviate suspicion, colonel Caillaud was ordered to cross the river between three and four o'clock in the morning; and having joined Cossim Ally Khan, they immediately marched their troops to the palace of the subah, and surrounded it just at daybreak. The gates being shut, the colonel formed his men without, and sent in a letter, addressed by the governor to the subah, in which he declares, "that he has detached an armed force, in order to expel his bad counsellors, and

he was found dead in his tent, killed, as colonel Caillaud supposes, by *a flash of lightning*. The troops which accompanied governor Vansittart to Moorshedabad, were said to be intended as a reinforcement to the garrison of Patna.

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to place his affairs *in a proper state.* Let not," says the governor, "your excellency be under any apprehensions—I solemnly declare, *I have no other views but your good.*" The subah, in a rage, at first threatened resistance; but his resolution soon failed, in consequence of repeated messages from the English commander, who at last openly declared, that, if the subah any longer delayed compliance, he should be obliged to STORM the PALACE. His excellency, astonished and terrified at this menace, and exclaiming, "that no oaths could bind the English," professed his willingness to abdicate the government in favor of Cossim Ally Khan, on condition that his life and honor were safe, and an allowance secured to him sufficient for his maintenance. These terms being acceded to, the subah surrendered himself to the colonel, asking permission to reside under the protection of the British government at Calcutta, which was readily granted him. Cossim Ally Khan was now proclaimed, in form, subah of the three provinces; and, being seated on the throne, received the congratulations of the governor and principal inhabitants of the city; in which no tumult or disturbance arose, or was in the event occasioned, by this sudden and extraordinary revolution. By the terms of an agreement or treaty previously signed at Calcutta, Cossim Ally Khan, in reward

of this great service, resigned to the company the entire revenue of certain districts of the subahdary; also engaging for the speedy payment of the great arrears due from Meer Jaffier. Five lacs of rupees were presented as an immediate aid from the new subah, for the use of the army then before Pondicherry; and president Vansittart, Mr. Holwell, Mr. Sumner, and colonel Caillaud, who composed the *select committee*, were pleased to signify their acceptance of "a free gift" of twenty lacs of rupees, a sum equivalent to about 230,000*l.* when the more urgent demands upon the treasury of the subah were satisfied, as a *compliment* from the subah, and a *voluntary* mark of his affection and regard. 1766.

Mr. Amyatt, Mr. Verelst, and the remaining members of the supreme council, who, not being of the select committee, were not in the secret of this revolution, and who did not participate in any of the advantages resulting from it, expressed, in very indignant terms, their entire disapprobation of the whole transaction. They declare, in a long and elaborate memorial, transmitted by the council to the court of directors, "their belief that few will imagine Meer Jaffier to have been deposed by reason either of a want of ability to rule, or of his bad principles; they would willingly suppose, that it proceeded rather

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from the want of a true knowledge of the country policy, and from an error of judgment, had not Mr. Vansittart and others made no secret that a present was promised them, by Cossim Ally Khan, of twenty lacs of rupees. They pronounce Cossim to have been a man detested and despised, before his elevation to the *musnud*; and that the people in general were extremely dissatisfied with this revolution. They express their astonishment at the presumption of Mr. Vansittart, who, not having been as yet three months in Bengal, had taken upon him to annul a treaty ratified in the most solemn manner by admiral Watson and colonel Clive, guaranteed by the credit of the company and the honor of the nation. If, say they, the present subah has purchased the power he is invested with, it is to be expected that he will indemnify himself by extortion and oppression; and as the fate of Jaffier Ally Khan must have convinced him how little we regard the most solemn engagements, he will of necessity endeavour to establish himself on a foundation less precarious than that of the English." This prediction of the council was unfortunately but too soon verified. The cruelty, the tyranny, and misconduct, alleged as the causes of the desposition of Meer Jaffier, were magnified in a tenfold proportion under the administration of Cossim, who was with dif-

ficulty prevented from making the assassination of Meer Jaffier the first act of his government. So little weight, however, had the representations and reasonings of the council in England, that the court of directors, highly delighted with the conduct of the new governor, passed a resolution, "that as the great increase of revenue arising out of the provinces ceded by Cossim Ally Khan, and the vast improvement of those revenues, are principally owing to the wise, prudent, and *disinterested* conduct of president Vansittart, he shall be allowed a commission of two and a half per cent. on all such nett revenues as may arise out of the above-mentioned grants, so long as he shall continue in the government of Bengal."

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On the final reduction of the French settlements on the coast of Coromandel, colonel Coote repaired to Bengal, where he arrived January 1761, and immediately took upon him the command of the army at Patna. In compliance with the new plan adopted by the president, he informed the prince Sha Zadda, now styling himself Sha Allum and GREAT MOGUL, of the favorable sentiments of the English respecting him, and their desire to assist him to the utmost of their power; which the prince heard with extreme satisfaction; and being then actually on his march to join Sujah ul Dowla, nabob

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of Oude (a large and rich province contiguous to Bengal) and hereditary vizier of the empire, who had recently declared in his favor*, it was agreed, with the concurrence of Cossim, that major Carnac, with part of the army, should escort him to the limits of the subah's dominions, and that, immediately on his repassing the Carumnassa, he should be proclaimed emperor of Patna. No sooner, however, was Sha Allum departed, than Cossim, anxious to establish his independency, retracted all the promises he had made, and absolutely refused to acknowledge the prince as emperor; offering at the same time a large sum to colonel Coote, to deliver up Ramnarain, the firm friend of the English, and not less the object of the present than of the late subah's jealousy and hatred. This the colonel positively refused; but receiving a subsequent order from the SELECT COMMITTEE, *to withdraw his protection from Ramnarain*, that unfortunate man was immediately seized and assassinated.

On the 24th of June, 1761, Sha Allum passed the Carumnassa, and was met at a few miles

* It may be proper to remark, that the hereditary vizier of the empire is a personage very different from the prime vizier who resides at Delhi, and holds his office at the pleasure of the emperor. The hereditary vizier is nabob of Oude, from the possession of which he derives his real power and importance; the dignity of perpetual and hereditary vizier being merely nominal and honorary.

distance by Sujah ul Dowla; but the differences which arose, and daily increased, between the English and Cossim, prevented his receiving that powerful aid which he had flattered himself would enable him to march without opposition to the gates of Delhi. Cossim's implacable hatred and jealousy of the English shewed itself in every part of his conduct; he removed the seat of government from Moorshedabad, as too near Calcutta, to Mongheer, and was employed in building, in a situation yet more remote, a strong fortress for his future residence, at Rajamaul. He had caused to be apprehended many of the principal persons of the country, distinguished for their attachment to the English; he was diligently employed in recruiting and disciplining his army, cashiering all those officers, and even regiments, whom he suspected of secretly inclining to the English interest. At length matters were brought to a crisis by the barbarous murder of Mr. Amyatt and his suite, returning under the faith of a safe-conduct from an embassy to the court of the subah. This is a catastrophe involved in great obscurity. It appears that Cossim, some time after his elevation to the *musnud**, had concluded with the president Vansittart a commercial treaty, by which

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* *Musnud* is, properly, the carpet on which the new nabob is placed at his installment or enthronement.

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certain duties, much less indeed than those paid by the natives, were imposed on the inland trade carried on by the company's servants. In a letter written by the president to the subah, he says, "your gracious *perwannah** is arrived, and has greatly honored me. I am informed of all the particulars of your high commands. It shall be written to the chiefs of our factories, that they are to give a *dustuck* for the buying and selling of ship merchandise, &c. paying in upon the cost of the merchandise nine per cent.; nor shall they use any manner of force or violence, extortion, or unfair dealing." The factory of Dacca complained to the council at Calcutta, that they must be absolutely undone if this treaty were carried into execution. The council voted it to be dishonorable, disadvantageous, and a breach of their privileges; and Mr. Amyatt, and certain other gentlemen of the council, were deputed to negotiate with the subah for better terms. But the subah insisted upon the validity of the treaty concluded with the president Van-

* *Perwannah* means an official letter or declaration of the nabob; *dustuck* is merely a commercial order or warrant. It may be added, that *firmaun* or *phirmaund*, is the edict of the emperor; *sunnud* is the imperial charter or patent; *tuncaw* is an assignment on land; *zemindary* is the hereditary property of the land itself, held by a sort of feudal tenure of the sovereign. All these are terms which frequently occur in Oriental language and history.

sittart; and on the 24th of June, 1763, Mr. Amyatt and his company set out in boats on their return to Calcutta. Scarcely had they left the city of Moorshedabad, before they were attacked and fired upon by separate parties of the subah's troops stationed on both banks of the river; but whether through misapprehension or by design, is not clearly ascertained. That Cossim knew how decidedly hostile to his interests had been the conduct of Mr. Amyatt, cannot be doubted; and the cruel and revengeful disposition of the subah renders the surmise of an intentional massacre but too probable.

On the intelligence of this calamitous event, the president Vansittart no longer ventured to oppose the determination of the council to declare war against Cossim. War was therefore declared in the month of July, 1763, and a proclamation at the same time issued for the restoration of Meer Jaffier to the subahship, which was now said to be the least atonement that could be made him for his unjust deposition. Colonel Coote being departed for Europe, the chief command of the army devolved on major Adams, who, being joined by major Carnac, forced his way, in spite of all opposition, to the capital of Moorshedabad, which he immediately attacked and carried by storm. Major Adams soon afterwards received a letter from Cossim, threatening, if he

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advanced farther, to cut off the English gentlemen who were his prisoners. Secret intelligence having been given to Mr. Ellis, chief of the factory, and the other gentlemen, of their danger, and exhorting them to endeavour to purchase their liberty of the guard set over them at any rate, they nobly replied, "that no attention ought to be given to them, and that they were ready to submit to their fate." The two armies at length met, August 2, on the plains of Gerish, the army of Cossim being reported to amount to 60,000 men, and the English not exceeding 3000 firelocks. After an obstinate dispute of four hours, a complete victory was gained; the enemy abandoning their cannon and 150 boats on the river Cossimbuzar, laden with grain and other stores. The army then proceeded to Mongheer and Patna, of which important places they made themselves in a short time masters; after which Cossim made no farther stand, but with the shattered remains of his army, and all his treasures, retreated, by means of a bridge of boats which he had thrown across the Ganges, into the territories of Sujah ul Dowla, having first signalized his flight by the infamous massacre, in cold blood, of all his prisoners, amongst whom were about 200 English of all ranks, civil and military. No sooner was the council at Calcutta apprized that Cossim had taken refuge in the province of Oude,

than a peremptory requisition was made to the nabob vizier to seize and deliver him up, with all his effects. The vizier, however, far from being inclined to comply with this demand, was actually concerting measures with the mogul Sha Allum for restoring Cossim to his dominions. "CONSIDER," said the vizier, in a letter written by him to major Carnac, to whom the command of the army had now devolved, "how the kings of Hindostan have given your company settlements and factories, exempted them from duties, and conferred greater privileges upon them than upon other Europeans, or the merchants of their own dominions. Notwithstanding all these favors, you have been guilty of ingratitude to the court. You have turned aside from your former paths, and have been continually marching your troops into the king's country. You have presumed to remove the officers of the imperial court, and to turn out and establish nabobs: WHAT KIND OF BEHAVIOUR IS THIS? In case you have your king's or your company's orders for these proceedings, be pleased to inform me of it, that I may shew a suitable resentment. But if it is from your own inclinations that you carry on your evil designs, it is proper you should desist from such proceedings." And in an expostulatory memorial or address to the governor and council, accompanying

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the former, he thus expresses himself: "Notwithstanding the various favors shewn you, you have interfered in the king's country, possessed yourselves of districts elonging to the government, crushed the i bitants by your acts of violence, and turned o t and established nabobs at pleasure, without th consent of the imperial court, exposing the government of the KING of KINGS to contempt and dishonor. To what can these proceedings be attributed, but to a wicked design of seizing the country for yourselves? Desist from such behaviour in future; withdraw your people from every part, and send them to their own country; carry on the company's trade as formerly, and confine yourselves to commercial affairs. In this case, the imperial court will more than ever confer its favors upon you. If, which GOD forbid! you are haughty and disobedient, the heads of the disturbers shall be devoured by the sword of justice, and you will feel the weight of his majesty's displeasure, which is the type of the wrath of GOD. Speedily send me your answer." No answer, however, was thought necessary to remonstrances, however forcible, accompanied by menaces so futile.

In the prospect of an approaching rupture, it was determined, without farther negotiation or delay, to carry the war into Sujah ul Dowla's dominions. Meer Jaffier, nevertheless, disco-

vered extreme reluctance to concur in this or any measure which might be construed as a commencement of hostilities on his part. But the council advised the commander, major Carnac, "that they would not have the operations of the war suspended even for an hour; that they will enter into no treaty with Sujah ul Dowla, but on the condition of the delivery of Cossim; that the subah Meer Jaffier must not, in the present circumstances, be allowed to carry on any correspondence with Sujah ul Dowla, or to receive any *sunnud* from the king, from whom they are apprehensive he is desirous to hold the subahdary independent of their *protection*; but that *in all things* the subah must be entirely ruled by him while the war continues." The operations of major Carnac not being deemed by the council sufficiently decisive, that officer was superseded, and the command given to colonel, afterwards sir Hector Monro, who, as soon as the periodical rains would permit, put himself at the head of the army, and advanced, on the 22d of October, 1763, to Buxar, within sight of the enemy, who lay encamped, with the Ganges on the left, and the fortress of Buxar in their rear. Early in the morning of the 23d, they were seen in motion, advancing, to the astonishment of the English commander, to the attack of the English camp. The action lasted three hours, and the Asiatics then gave

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way in great confusion, and were driven two miles beyond a rivulet, over which they had laid a bridge of boats. This being sunk by those who first passed, the rear of the nabob's army were drowned, or destroyed in the pursuit. The day after the battle, the mogul, who was little better than a state prisoner in the hands of Sujah ul Dowla, wrote to the English commander, congratulating him on his victory, and desiring the colonel to take him under the protection of the English; saying, if he would do this, he would give the English Sujah Dowla's country, or any thing else they pleased to demand. This proposition being transmitted to, and approved by, the council, the mogul repaired to the English camp, where a treaty, previously prepared, was signed and executed.

At this period, the subah Meer Jaffier Ally Khan was taken ill at Moorshedabad; and finding his disorder rapidly increasing, he sent for his second son Najim ul Dowla, the eldest now living, and delivered to him a paper of advice, recommending the rajah Nund-comar as his minister; and in the presence of the English resident, and other English gentlemen, desired that his orders might be given to obey his son in every respect as they had done him. After this last exertion of authority and affection, he expired January 14, 1765.

An extraordinary embassy of condolance and congratulation was upon this occasion sent by the president and council at Calcutta, in the name of the company, to wait on Najim ul Dowla, of which the young subah himself, in a letter written to the committee at Calcutta, has transmitted some curious particulars. "Instead," says he, "of condolance and comfort, they began to encumber me with many troublesome things;—they sent out all the people present, together with my brother, nabob Sysud Dowla, and then told me to send for Mahomed Reza Khan from Dacca, and set him up as naib of the Nizamut; saying, that till he arrived I must not sit in the dewan. I desired them to peruse the paper of advice of my deceased father, who had always deemed Reza Khan his enemy. In answer to this they replied, 'Your paper of advice is of no force or virtue: every thing must be done as we think proper.' They presented me with a paper (articles drawn up by the committee at Calcutta), and *requested* I would sign it. I sent for Meer Mahomed Irrick Khan, Mah-rajah Nund-comar, &c. who acquainted the gentlemen that it was proper to peruse it first. The gentlemen asked, in a very angry manner, who they were that wanted to peruse the paper? adding, that if I did not set up Mahomed Reza Khan in his naibship, and immediately sign the 1766.

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paper, I should extremely repent it. On which I thought proper to sign. There is nothing done with my will or order. Titles, employments, *kelauts*, elephants, horses, and jewels, are distributed as he, the abovesaid Reza Khan, pleases. The bad treatment I have received, and Mahomed Reza Khan's promotion, are to me as if I were day and night in a flame. On the first arrival of the *ambassadors* at the court of Moorshedabad, they caused the following message to be delivered by an agent named Mootyram, to Jugget Seet, a man of high rank at the subah's court, and entrusted with the custody of his treasures: 'Make us some acknowledgment, and we will settle all your business according to your heart's desire; otherwise we shall be displeased, and your business meet with no assistance, for you formerly made an acknowledgment to lord Clive and other gentlemen.' 'I informed them,' says Jugget Seet, 'that lord Clive never said a word on this subject, and that I did not give him even a single *dauni*.' They answered, 'You may not be acquainted with it, but your fathers made us acknowledgments—Give us five lacs: if you wish to have your business go freely on, make us some acknowledgments.' Being remediless, I consented to give them 125,000 rupees. The money was sent in a *stackeree*; at which the gentlemen were very angry, and said,

'Why was it not given to Mootyram, or sent more privately?'" BOOK XIV.

In February 1765, all things being settled to the satisfaction of the ambassadors, Najim ul Dowla was proclaimed, at Moorshedabad, subah of the three provinces; at which time advice was received from England, of lord Clive's being actually on his passage to India, invested with extraordinary powers from the company. 1765.

On the resignation of colonel Monro, and his return to Europe, major Carnac resumed the command. At the latter end of April 1765, the English army crossed the Ganges; and on the 3d of May, the English general engaged the enemy, then encamped on its banks, over whom he obtained a signal and decisive victory; in consequence of which, Sujah ul Dowla, alarmed at his situation, and the recent treaty between the mogul and the English, of which his deposition might be supposed the probable and speedy consequence, sent a letter to the English commander, signifying his intention to surrender at discretion, persuaded that he would treat him in a manner befitting his own honor. The general received him with all possible marks of distinction, and, with equal generosity and policy, recommended to the governor and council to use their success with moderation, professing it as his opinion, "that an equitable and hono-

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rable accommodation with the vizier, who was undoubtedly the second man in the empire, would greatly raise the reputation of the English name;" adding, "that from the extreme regard in which he is held throughout the country, his alliance would prove a much better security to our frontiers than that of any other person who could be substituted in his room." Lord Clive was by this time arrived at Calcutta. On the first meeting of the committee of council, he declared to them, "that he little imagined, when he resigned the government of Bengal five years ago, that he should enter upon it again; but the late distracted state of affairs in India had alarmed the proprietors of stock, and at one of their most numerous general courts he was unanimously desired to resume the government of Bengal. The success of the forces," said his lordship, "which I had the honor to command in 1757, completed a revolution in favor of Meer Jaffier; an event on which the existence of the country at that time depended. My successors, soon after my departure, thought proper to raise Cossim Ally Khan to the subahship; the consequences of which, whatever were the causes, have been most unfortunate. What do we hear of, what do we see, but anarchy, confusion, and, what is worse, an almost general corruption? To establish a permanent govern-

ment, to secure the commercial interests and revenues of the company, to reform the military, to amend the civil departments; these will be the objects of our serious attention. By your assistance, I hope to see these important matters completely regulated before I resign the government;" intimating at the same time his intention no longer to continue than his personal aid should be thought necessary to the accomplishment of these great and salutary purposes. But his lordship's plan of regulation and reform was more distinctly developed in a letter written at this period to Mr. Rous, then at the head of the direction in England. "The particulars of the late successes, and now very flourishing state of the company's affairs in Hindostan, were," he observes, "already known. We have at last," says his lordship, "arrived at that critical period which I have long foreseen; I mean that period which renders it necessary for us to determine whether we can or shall TAKE THE WHOLE TO OURSELVES. Sujah Dowla is expelled from his dominions: we are in possession of it; and it is scarcely hyperbole to say, to-morrow the whole MOGUL EMPIRE will be in our power. A large army of Europeans will effectually preserve us sovereigns. You will, I am sure, imagine with me, that, after the length we have run, the princes of Hindostan must conclude our views

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to be BOUNDLESS; they have seen such instances of our ambition, that they cannot suppose us capable of moderation. The very nabobs whom we might support would be watching to destroy us; we must indeed become nabobs ourselves in fact, if not in name. In short, if RICHES and SECURITY are the objects of the company, this is the only method for securing them."

The select committee, in reply to the dispatches of general Carnac, express much approbation of the generosity of sentiment contained in them. They inform him, that lord Clive is vested, in conjunction with him, with full powers to negotiate a treaty with the vizier on honorable terms. They affirm, that their great aim is to obtain a lasting and honorable peace, to revive their languishing commerce, to impress the natives with a sense of our justice and moderation, and to reduce those heavy military charges which have hitherto rendered the cession of rich provinces useless to the company. "We must," say they, "APPEAR disinterested; and if you stipulate for any sums to be paid, they ought to be on account of the company, whose interest must be primarily regarded."

Lord Clive soon afterwards joined the army, and in a conference with Sujah Dowla, it was agreed that fifty lacs of rupees, amounting to about 600,000*l.* should be paid to the company by the vizier, as an indemnification for the

charges incurred by the war. Cossim Ally Khan having effected his escape to the country of the Rohillas, nothing now impeded the treaty with the vizier *. BOOK XIV. 1765.

On the 11th of August (1765) lord Clive and general Carnac had an audience of the emperor Shah Allum, who delivered his *demands* to lord Clive in the Persian language. In return, the KING of KINGS was *requested* to grant to the company the *dewannee*, or collection of the revenues of the provinces of Bengal, Bahar, and Orissa. His imperial majesty signed the *phirmaund*, and gave them that revenue for ever, reserving only an annual tribute of twenty-six lacs of rupees to be paid into the royal treasury; and the company agreed to sign a specific sum for the maintenance of the subah, and the ex-

* There is great reason to believe, that the accounts transmitted from India to England, of the conduct and character of Cossim Ally Khan, were purposely and grossly exaggerated, in order to justify the measure of his deposition. Hossein Gholam Khan, the historian of the country, says of this prince, "that he had, though cruel and suspicious, from the perpetual infidelities he experienced, admirable talents for government, and that there was no man daring enough in his court to speak in behalf of an unjust pretension." His abolition of all duties upon the inland traffic, by which the natives were put upon a level with the English, who had made enormous fortunes in that trade by the most nefarious means, was, as it too plainly appears, the grand and irreparable offence of which he was guilty in the eyes of the merchant sovereigns of Calcutta.

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pences of his household. In consequence of the imperial grant, the seal of the governor and council bore henceforth the following inscription, in accommodation to the lofty style of Oriental ostentation: "The magnificent merchants of the East India company, the dewans of the magnificent provinces of Bengal, Bahar, and Orissa, servants of the magnanimous emperor Sha Allum." On his return to Calcutta, lord Clive advised the court of directors of this extraordinary and amazing accession of revenue. The nabob's allowance, he informs them, is reduced to forty-two lacs of rupees, the tribute to the emperor is fixed at twenty-six, and their civil and military expences he estimates at sixty lacs; which will, as he calculates, leave a clear annual residue of one hundred and twenty-two lacs, or one million six hundred and fifty thousand pounds, to the company. The restoration of the vizier's dominions, his lordship ingenuously acknowledges, proceeded not from any generosity of sentiment, as some had mistakenly imagined, but from the policy of not extending the company's territorial possessions. "Considering," says his lordship, "the excesses we have of late years manifested in our conduct, the princes of India will not readily imagine us capable of moderation, nor can we expect they will ever be attached to us by any other motive than FEAR. If you mean to maintain your pre-

sent possessions and advantages, the command of the army and the receipt of the revenue must be kept in your own hands." Such was the nature of the reform and regulation which his lordship exerted his influence to establish, and SUCH the GREAT AND SALUTARY PURPOSES he was solicitous by his authority and personal presence in India to effect! But in order to shew how excellently ambition can moralise, he concludes with saying, "all is not safe. Danger still subsists, from more formidable enemies within—luxury, corruption, avarice, rapacity: these must be extirpated, or they will destroy us; for we cannot expect the same causes which have ruined the greatest kingdoms, shall have different effects on such a state as ours." NOR, as his lordship's superior sense and sagacity might have suggested, can we expect that the public and private vices, against which he so justly and severely inveighs, will ever cease to threaten the subversion of a state, whilst the "riches and security" of the GOVERNORS, and not the welfare and happiness of the GOVERNED, are without hesitation admitted and avowed to be the grand end and object of GOVERNMENT. BOOK XIV. 1766.

It is now time to revert to the situation of affairs in England. The earl of Chatham, late Mr. Pitt, notwithstanding the ideas which he had too flatteringly indulged on his re-elevation

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to the pinnacle of power, soon found himself in a predicament not less embarrassing than unpleasant. The loss of his popularity was a source of perpetual chagrin. The fraternal breach which had taken place with lord Temple, who had been for many years his confidential friend and adviser, excited in his breast the most sensible uneasiness; the prospect of the powerful opposition forming against him, contrasted with that glorious period of his life, when civil discord, "bound in brazen chains," seemed expiring at his feet; and, finally, perhaps the proofs already perceivable that he was far from possessing that absolute authority in the cabinet, which he had with hopes too sanguine previously expected to exercise: all these considerations conjoined, depressed his genius, corroded his temper, and visibly impaired his health. He perceived the necessity of strengthening his interest, previous to the meeting of parliament, by a *partial* coalition, at least with one or more of the political parties now combined against him, however disunited among themselves. At the beginning of October, the earl of Chatham and the duke of Bedford being then on a temporary visit at Bath, an interview took place at the desire of the former, who declared in explicit terms, "that he should be happy to see the king's administration countenanced and sup-

ported by his grace's approbation and interest," and proceeded to state the measures which he purposed to pursue:—1. "To keep the peace inviolate, and to endeavor to prevent any infraction of it by foreign powers. 2. He would enter into no continental connexions, nor make any subsidiary treaty with any European power. 3. He firmly resolved to observe, in the expenditure of the civil government, a strict and rigid economy." The duke replied, "that these were precisely the measures for which he had ever contended, and which he would certainly support, whether he and his friends were in or out of office." This interview, which terminated amicably, was understood to be only the prelude to another. Having so far succeeded, lord Chatham, on his return to London, no longer scrupled to risk an open rupture with the Newcastle or Rockingham party—ever, as it but too evidently appears, the object of his secret aversion—by the dismission of lord Edgecumbe; a nobleman distinguished by his attachment to that connexion, from his office of treasurer of the household, which was conferred on Mr. afterwards Sir John Shelley. Upon this the duke of Portland, lord chamberlain, Sir Charles Saunders, first lord of the admiralty, the lords Scarborough, Besborough, Monson, &c. resigned

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their offices. These resignations lord Chatham purposed to supply by his intended coalition with the Bedford party; but on exhibiting his ultimate plan of promotions, new and formidable obstacles arose in the way of its accomplishment. Much larger concessions being exacted by the auxiliary party than they were thought entitled to expect, the negotiation with the duke of Bedford was abruptly broken off.

In a short time sir Edward Hawke was placed at the head of the admiralty; lord Le Despencer, late sir Francis Dashwood, who, under the administration of lord Bute, occupied the office of chancellor of the exchequer, was appointed postmaster; Mr. Charles Jenkinson, lord Bute's private secretary and confidential agent, was made a lord of the admiralty; and Mr. Stuart Mackenzie, brother to lord Bute, restored to his office of privy seal for Scotland.

Lord Chatham was now universally considered as reconciled in a very extraordinary and alarming degree to the *system* of the court. This, however, was an opinion altogether founded on misapprehension; the great and efficient offices of government were still entirely in the hands of the whigs, who at this period wanted only unanimity, to carry their own plans of government into full and vigorous execution. After the first

moments of reflection were passed, conscious of the additional odium he had incurred by the late proceedings, lord Chatham again retired in all the gloom of discontent to Bath, where he fell into a paroxysm of the gout, which seemed to threaten his existence. His corporeal infirmities were increased by the conflict of passions which agitated his mind; torn at once with jealousy, disappointment, anger, and unavailing regret*. BOOK XIV. 1766.

During his absence, the ministers his associates, supposing him for ever incapacitated for public business, were engaged in a variety of hostile political intrigues; Mr. Charles Townshend, chancellor of the exchequer, a man of

* In a letter written about this period by general Lee to the king of Poland, that extraordinary and eccentric genius thus expresses himself: "I am apt to agree with the majority of the better sort, that 'this once noble mind is quite o'erthrown.' Can it be reconciled to reason, that the same man who rendered his name so illustrious, so tremendous, should split upon ribbands and titles? By sinking into a peerage, his popularity would vanish of course. I recollect your majesty was of the same way of thinking, that there was nothing very monstrous in his acceptance of a peerage, but that it argued a *senselessness* of glory, to forfeit the name of Pitt for any title the king could bestow. He has fits of crying, starting, and every effect of hysterics. It is affirmed, indeed, that ten years ago he was in the very same condition; that, therefore, a possibility remains of his recovering once more his nerves, and with them all his functions."

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aspiring views and deep designs, making, as it was affirmed, secret advances to the ex-minister, lord Rockingham, for the removal of the duke of Grafton, with whom he had been for some time on terms by no means the most cordial. Disappointed, but not discouraged, at the rejection of his overtures, this versatile and restless genius soon turned his attention to a different and opposite quarter, still preserving, however, the appearances of friendship to the duke.

Tumults on account of the high price of provisions.

During the course of the preceding summer, riots and tumults had, in various parts of the kingdom, taken place in consequence of the high price of provisions, and the magistrates were at length obliged to call in the military to the aid of the civil power. Many lives were lost, and a special commission was issued for the trial of the numerous rioters apprehended, who were nevertheless treated with every degree of lenity that the nature of the crime would permit. Few examples were made, the sentence of the majority being mitigated to transportation, and many receiving a free pardon. The incessant rains which fell during the summer and harvest months, afforded, however, a very alarming prospect of increasing scarcity; and it was thought expedient in the autumn, when the extreme deficiency of the crop was

fully ascertained, to issue, by virtue of the royal authority, an embargo on the exportation of corn, though as yet below the fixed and legal standard *.

* A succession of wet and unfavorable seasons may sufficiently account for the extraordinary scarcity which prevailed at this particular period; but the grand and interesting problem yet remains to be solved: WHEREFORE is it, that the means of subsistence have been for thirty years past less easily attainable by the bulk of the people than at any former æra? —that while, on the one hand, our ears are soothed and delighted with those annual *parliamentary prolusions*, in which the prosperity of the nation is described in the most brilliant and glowing colors of eloquence, on the other our eyes are grieved and shocked at the display of wretchedness and misery which the habitations of the poor every where exhibit? Whence is it that the poors'-rates are so alarmingly increased, that the workhouses of the kingdom are crowded, and the villages deserted?—that the laborer is bereft of the comforts which once made his cottage the abode of contentment; his family pining under the accumulated evils of cold, nakedness, and hunger? That this is an ideal picture, those who move in the gay and splendid circles of fashion would no doubt willingly affect to believe; but the evidence of facts is too strong to be resisted or weakened by a pompous parade of words; and, where such a state of things exists, to talk of the prosperity of the country is a gross abuse of language. Effects so fatal must no doubt originate in something radically wrong in the general system. Two causes obviously present themselves as jointly and powerfully co-operating to their production: 1. the enormous increase of the national debt, which is, in fact, only taxation of the poor householder for the benefit of the rich stockholder; and, 2. the vast and prodigious fortunes amassed

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1766. Bill of indemnity for the embargo on corn.

When the parliament met at the usual season, it was found indispensably requisite to bring in a bill of indemnity, in order to prevent any prosecutions, in the courts of law, of the officers of the crown concerned in the execution of the act. But it was remarked, that, though this bill provided for the indemnity of the executors of the proclamation, it made no mention of the ADVISERS. The amendment proposed in consequence of this omission, occasioned some warm

by individuals, particularly by the oppressors and plunderers of the East, which have contributed more than is easily conceivable, to the rapid and astonishing increase of luxury, *i. e.* of the consumption of superfluities, which has an immediate and irresistible tendency to raise the price of the necessaries of life, while, by the excessive influx of wealth, the value of money is perpetually decreasing. Thus the blood WE have so profusely shed in our successive wars, the treasures WE have lavished, and the treasures WE have extorted, all combine to induce a state of political debility, languor, and decay, in which it may be truly affirmed, "that the whole head is sick, and the whole heart is faint." And as there is no prospect of a change of system, it must necessarily terminate in a catastrophe, which will be the more dreadful in proportion as it is procrastinated by artificial and temporary expedients. "Postquam divitiæ honori esse cœperunt, et eas gloria imperium potentia sequebatur; hebescere virtus paupertas probro haberi, innocentia pro malevolentia duci cœpit. Igitur ex divitiis juventutem luxuria, atque avaritia cum superbia invasere."—*Sall. in Bell. Jug.*

altercation. The lords Chatham and Camden, in their too eager vindication of the late exertion of prerogative, maintained, "that no indemnity was wanting for those who had advised the crown to adopt this wise and necessary measure." Citing the words of Locke, they asserted, "that it was ridiculous to suppose any state without the power of providing for the public safety in great emergencies." This power must in all societies be lodged somewhere, and in ours it is lodged in the king. This doctrine their lordships concurred in affirming to be by no means subversive of the security of the constitution, or contrary to the spirit of liberty, as it can only be reduced to practice on occasions of *extreme necessity*, when the parliament does not sit, and cannot be conveniently assembled. "At any rate, the evil cannot be very formidable, since, at worst! (said lord Camden, in the unguarded warmth of debate), IT IS BUT A FORTY DAYS' TYRANNY; and there seems to be but little foundation for indemnifying those who have only neglected the letter, in order the better to preserve the spirit of the law."

In reply to these reasonings it was urged with great force by lord Mansfield, who distinguished himself in the debate, "that the law of England knew of no power of suspension in the preroga-

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tive; that if the plea of necessity is once admitted, and the crown allowed to be the sole judge of that necessity, the power of the crown would be unlimited; for there is no case to which it might not be made to extend, and discretion would quickly degenerate into despotism. For this reason, the wisdom of the legislature has deprived the crown of all discretionary power over positive laws. Though parliaments are not immortal, their acts never sleep; they are not to be evaded by flying into a sanctuary—no, not even that of necessity. The LAW is above the king, and he, as well as the subject, is as much bound by it during the recess as during the session of parliament; because no point of time or emergent circumstance can alter the constitution, or create a right not antecedently inherent. These only draw forth into action the power which before existed, but was quiescent. If the crown has a legal right to suspend or violate one law, it must have the same right to violate another, and another, till the whole system of our jurisprudence is overturned. A just regard to the safety of the sovereign, and to the LIBERTY of the SUBJECT, render it necessary for us to shut up every avenue to tyranny, that, as it has hitherto been, so it may continue to be, the distinguishing characteristic of our kings, that their

authority is the authority of the laws, and that they reign over freemen, and not over slaves *." Impressed by these considerations, the house passed the bill with the amendment; and lord Mansfield must be allowed *for once*, the honor to have obtained the advantage over lord Chatham on a constitutional question, and this merely in the abstract; for that the measure was practically right, no one pretended to dispute; but at this crisis the enemies of lord Chatham were eager to represent him as renouncing those principles to which he owed his fortune and his fame. BOOK XIV. 1766.

Affairs of far greater importance occupied the attention of parliament in the subsequent part of the session. Though, in actual circumstances, nothing could be more wise and seasonable than the repeal of the stamp act by the late ministers, 1767.

* General Lee, in a letter written December 1766, to his correspondent the prince de * * *, says, "Lord Mansfield lately drew upon him the laugh of the house of lords, by making use of the term 'liberty of the subject,' and expressing great regard for it—Conway is still secretary of state, and much regarded as a man of ability and integrity—Lord Shelburne, the other secretary, has surpassed the opinion of the world; he speaks well, and is very distinct in office—The duke of Grafton is an absolute orator, and has a fair character—An Irishman, one Mr. Burke, is sprung up in the house of commons, who has astonished every body with the power of his eloquence, and comprehensive knowledge in all our exterior and internal politics."

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it is not to be imagined that this was a measure attended with no political inconvenience. Far from it; but in the dilemma to which they were unfortunately reduced, they adopted that line of conduct which justice and policy marked out, and which appeared incomparably the least of the two difficulties. By an egregious want of prudence and penetration, the government of Great Britain had attempted to carry into effect an odious and arbitrary measure, which, upon trial, it was found impossible, without involving the whole empire in scenes of bloodshed and confusion, to enforce. But as political power exists only by opinion, this project, however ruinous and absurd, could not be relinquished without exposing the legislative authority of Great Britain to the risk of at least a temporary degradation and diminution. By their success in this first instance of opposition and resistance, the Americans would be encouraged and incited (such is the nature of man) to dispute the authority of the mother country, when it happened to be in other instances exerted in a mode not agreeable to them, however necessary to maintain the just and constitutional subordination of the colonies. This was remarkably exemplified in the conduct of the assembly of the province of New York, who came to a resolution, that they would not regard the provisions

of an act passed in the last session, by which they were required to supply the troops stationed in the province with necessaries in their quarters. BOOK XIV. 1767.

When this instance of disobedience and contumacy was laid before parliament, very rigorous measures of vengeance were urged by those whose violent councils had already been productive of so much mischief. But the present ministers, purposely avoiding all harsh and positive penalties, adopted a measure at once forcible and dignified, by enacting a law prohibiting the governor, council, and assembly, of New York to pass any act, till they had in every respect complied with the requisition of parliament. This in a short time produced the desired effect; and it afforded a demonstrative evidence, that the real and practical authority of Great Britain, wisely and temperately exerted, was fully equal to the purpose of maintaining that relation of superiority and dependence which indisputably ought to subsist between the head and the members of a great and widely-extended empire. Bill for suspending the legislature of New York.

Happy would it have been for the world, had the present ministers discovered in all other parts of their conduct the same prudence and policy. But through some unaccountable fatality, or more probably, from the secret opera-

dignant at the presumption of Mr. Townshend, neither dared entirely to break with a man whose parliamentary talents rendered him so necessary, or peremptorily to reject a project which was received by the house of commons with the most decided marks of approbation. Unfortunately, lord Chatham was not at this time capable of attending the cabinet councils, nor was he at all consulted, in his present state of health, by the ministers, on this or any other business. From this period, indeed, that nobleman perceived himself, or, from his excess of jealousy, fancied himself, to have become a mere cypher in the administration. His opinions, even after his partial restoration to a capacity for business, were, according to the general report and belief, over-ruled or disregarded; his person treated with rudeness and neglect; and having lost the confidence of the people, he now became the object of the contempt of the court.

In a remarkable debate which took place in the house of lords at a subsequent period*, lord Chatham expressed, without reserve, the sensations which he had experienced in the situation he now occupied. He spake in indignant terms of "the secret influence of an invisible power, of a *favorite*, whose pernicious counsels had

* March 2, 1770.

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occasioned all the present unhappiness in the nation—who had ruined every plan for the public good, and betrayed every man who had taken a responsible office. He said that there was no safety, no security, against his power and malignity; that he himself had been duped, he confessed with sorrow—that he had been duped when he least suspected treachery—at the time when the prospect was fair, and the appearances of confidence were strong—when he had with great pains, attention and deliberation, formed schemes highly interesting, and of the utmost importance to this country. These schemes had been proposed and approved in council, and assented to by the king; but on his return from a short, and, in his state of health, a necessary absence at the bath, he found his plans all vanished into air—'into thin air!' In the *closet*, he said, he had invariably found every thing gracious and amiable—he had received the most condescending PROMISES of SUPPORT. I own, said this illustrious statesman, I was credulous, I was duped, I was deceived. I soon found there was no *original administration* to be suffered in this country. A long train of insidious practices at length unwillingly convinced me, that there is something *behind* the throne GREATER than the THRONE ITSELF." On another occasion he affirmed, "that the late good old king possessed

the feelings of humanity, and, amongst many other princely virtues, was endued with justice, truth, and SINCERITY, in an eminent degree. He had something about him by which it was possible for you to know whether he liked you or disliked you."

Matters being in this state, a bill was, in the course of the present session, introduced and passed, with the appearance, it must be confessed, of general approbation, for the imposition of certain duties on glass, tea, paper, and painters' colors, imported from Great Britain into the colonies; for though by the repeal of the stamp act, the exercise of the right of internal taxation was allowed to be virtually relinquished, the claim of external taxation was affirmed still to remain in full force. The Americans by this act were reduced to a most grievous and vexatious political embarrassment. It had been ever uniformly acknowledged that Great Britain possessed the right of commercial regulation and control; it could not be denied that port duties had been at former periods imposed for the purpose of commercial regulation, particularly by the act passed in the sixth year of the reign of the late king, on the importation of foreign rums, sugars, and melasses, from the West Indies. It could not be pretended with consistency and plausibility, that the same power did not now inhere in the British

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parliament; but it was at the same time impossible not to discern that this power was in the present instance exercised with a very different intention, and for the accomplishment of a very different object; and that, by a species of artifice unworthy of a great nation, an attempt was now made to inveigle them into the payment of that revenue which could not be extorted by means more direct and unequivocal. When the intelligence of this new plan of *state policy* reached America, a sudden and angry gloom instantly and universally took place of the hilarity and good humour which had predominated since the supposed relinquishment of the plan of American taxation; and the intrigues of courts being to the Americans happily unknown mysteries, it was to them inconceivable how such men as those who composed the present administration, could now act in a manner so diametrically opposite to their former professions. Mercantile combinations immediately became general, not to import those articles on which the new duties were laid, the trivial amount of which did not diminish the odium attending them; the Americans comparing these duties to an entering wedge, designed to make way for others which would be greater and heavier. "Noy, the attorney-general," says the celebrated Selden, "brought his ship-money first for maritime towns; but that was

like putting in a little auger, that afterwards you may put in a greater. He that pulls down the first brick, does the main business; afterwards it is easy to pull down the house." BOOK XIV. 1767.

The last business of national importance which occupied the attention of parliament during this long and interesting session, related to the affairs of the East India company. The prodigious acquisitions recently made by the company in the East, and the princely fortunes accumulated by those who occupied the higher departments in its service, strongly attracted the attention, as may easily be supposed, both of the proprietary and the parliament.

At a general court held at the India-house, it was affirmed by many of the proprietors to be highly reasonable, that a larger dividend should be declared by the directors, and that the whole body should participate in the advantages of their late successes; insisting, that so low a dividend as six per cent. agreed but ill with the present flourishing state of the company's finances. It was plausibly urged, that the Dutch East India company divided twenty per cent. upon its capital, though their possessions and revenues were in no degree equal to those of the English. The directors, who, by the superior sagacity of their conduct, have frequently exposed the dangerous fallacy of a confident reliance on the col-

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lective wisdom of a popular assembly, combined, as it must necessarily be, with their collective ignorance and folly, replied with much good sense and prudence, "that although great advantages had certainly been gained, it was not less true, that vast expences had been incurred by the unexampled extent and duration of their military operations. The profits of the company, they said, were comparatively remote and precarious; their debts urgent and certain. Justice and good policy, therefore, concurred in recommending the previous discharge of incumbrances ere they thought of appropriating the profits. Recall, said they, the transactions of the South-Sea year, and consider the pernicious effects of the fraudulent arts then used for raising the value of that stock. Will not this premature attempt be attended with similar consequences? A considerable augmentation of dividend will raise the price of our fund to an extraordinary height, at which it cannot possibly be supported. Thus fresh fuel will be added to the ardor for gaming, and a wider field will be opened for stock-jobbing, and all the mysterious iniquities of 'Change-alley. By your precipitance you will create a new South-Sea bubble, which will ultimately burst upon your own heads."

The proprietary, far from being satisfied with these reasonings, greatly resented what they

styled "the invidious mention of the South Sea bubble, and reproached the directors with an intention to monopolize the riches of the company, and, by their futile and absurd cavils, prevent all increase of dividend, to swell their own enormous heaps." A dividend of twelve and a half per cent. was accordingly declared; when the parliament, in consequence of an application from the company for the renewal of their charter, entered into a serious investigation of the state of the company's affairs. It was without hesitation asserted, that a commercial company could not legally acquire territorial rights, and that the revenues annexed to those rights appertained solely to the crown. The company, dreading the consequences of a competition so formidable, voluntarily offered an annual sum of 400,000*l.* to the government, in lieu of all other claims; and a temporary agreement for two years only was concluded upon these terms, the question of right remaining undecided. A bill, which the urgency of the case only could warrant, was at the same time brought into the house, RESCINDING, by a high exertion of legislative authority, the late resolution of the general court, and confining the dividends of the company to ten per cent. during the continuance of the agreement made with the government, which passed with much op-

East India rescinding bill.

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position: the secretary of state, and the chancellor of the exchequer, on this occasion, to the astonishment of the public, voting in the minority. This important bill originated with, and was supported by the powerful patronage of, the noble duke at the head of the treasury, who clearly discerned the necessity of adopting timely and decisive measures of prevention, in opposition to the daring and nefarious designs of those persons who hoped, by declaring an enormous dividend, and advancing the transfer price of the stock to a proportionate height, to take the same advantage of the public delusion as their predecessors in the ever memorable year 1720. General Conway, from motives free from any taint of suspicion, opposed the bill in question, under the too scrupulous apprehension of its establishing an arbitrary precedent. But Mr. Townshend, whose character with far more difficulty repelled the shafts of calumny, did not escape the severest animadversion. The opposition to this bill in the house of lords was truly formidable. The Rockingham and Grenville parties united in the reprobation of it. The divisions in the different stages were uncommonly close; and the minister, who defended the measure in person with undaunted resolution and great ability, was able on two successive trials to command a majority of three voices only.

more than 120 peers being present. At length it passed on a division of 59 to 44 voices. A protest, drawn with singular acuteness and energy, and consisting of no less than sixteen specific articles of dissent, was signed by nineteen peers against this bill; lord Rockingham and lord Temple being of the number. The most remarkable clause of this protest is that which refers to a proposal made by the company, of submitting to a restriction of dividend at the rate of twelve and a half per cent.; and extending that restriction during the temporary agreement; "which," say their lordships, "would have secured every good end proposed by this bill, and have obviated all the mischiefs which they deprecate; as such restriction, with the company's consent, would have been liable to no objections of injustice or violence." Whether the end proposed might not have been accomplished in a milder and more conciliatory mode, may perhaps admit of doubt; but at this distance of time, there can scarcely exist a difference of opinion as to the essential rectitude and wisdom of the measure itself.

The ideas of lord Chatham, who still maintained an intimate and confidential intercourse with the duke of Grafton, went to an absolute and unqualified denial of the legal and constitutional right of the company to the territorial re-

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venue, and the political jurisdiction annexed to it, as utterly incompatible with their commercial capacity, and totally foreign to the nature of the privileges vested in them by charter. Unfortunately, by a too timid and wavering policy, the natural result of the ministerial jealousies and animosities too evidently subsisting, the company was left in the possession of powers which they in the sequel exercised extremely to their own detriment, and the infinite distress and oppression of the nations and provinces subjected to their dominion.

If it was not without labor and difficulty that the minister was able to carry the rescinding bill into a law, in another great and favorite measure he was absolutely and most unexpectedly defeated. Since the termination of the war, the land tax had been wisely continued at four shillings in the pound; and the duke of Grafton was anxiously solicitous that no reduction should at this time take place, as it would materially obstruct the grand arrangements formed for the liquidation of the public debt. But when the usual land tax bill was brought forward by the chancellor of the exchequer, it was vehemently opposed by the country gentlemen, who insisted upon its being reduced to three shillings in the pound, according to the invariable practice of former administrations in time of peace. The

original motion was very faintly supported by the chancellor of the exchequer, whose conduct wore upon this, as on many other occasions, the appearance of unaccountable negligence, or the most insidious duplicity; and the amendment proposed was carried in opposition to the court by a very decisive majority. Many persons augured from hence the speedy and inevitable downfall of the present ministry; but the opposition of the country gentlemen, in this instance, being prompted solely by motives of private interest, did not extend to the general system of administration, to which unanimity alone was wanting to give every necessary degree of strength and stability. But the illness of lord Chatham, and his consequent utter incapacity for business, afforded, unfortunately, the most inviting and unlimited scope for political intrigue, and all the arts of courtly dissimulation.

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Impolitic reduction of the land tax.

The session did not terminate till late in the summer (July 2d, 1767), when the want of cordiality amongst the ministers became more publicly apparent. Soon after the prorogation, the king wrote with his own hand a letter to the earl of Chatham, acquainting him with his intention to make certain alterations in the administration, and desiring his lordship's assistance and advice. But lord Chatham signified to his majesty, that such was his state of health, as to

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render him incapable of affording the least aid in settling any future arrangement; acknowledging, nevertheless, the necessity of strengthening the hands of government, by a coalition either with the Rockingham or Grenville party, the latter being at this time closely united with the duke of Bedford and his adherents. Advances were in consequence made by the duke of Grafton to the marquis of Rockingham, with the knowledge and by the command of the king, desiring his lordship to specify the plan on which he and his friends would propose to come in, *in order to extend and strengthen the administration.* To this overture lord Rockingham, in somewhat haughty terms, answered, "that the principle on which he would proceed should be to consider the present administration *as at an end*, notwithstanding the great regard and esteem he had for some of those who composed it." Not discouraged by this check, and indifferent to a continuance in his own elevated but uneasy station, the duke of Grafton, by order of the king, replied, "that his majesty's sentiments concurred with his lordship's in order to the forming a comprehensive plan of administration, and that his majesty, desirous of uniting the hearts of all his subjects, is most ready and willing to appoint such a one as shall exclude no denomination of men attached to his person and government." A change of ministry being

now confidently expected, the duke of Newcastle, long experienced in the arts of political intrigue, exerted his utmost efforts to unite the houses of Russel and Wentworth, conscious that a firm and cordial coalescence could alone render their opposition formidable, or their administration permanent. This, however, was extremely difficult to effect, not merely on account of the reluctance of each party to act in a subordinate capacity, but from the real difference of opinion that subsisted relative to the affairs of America. At length, various mutual sacrifices being made to facilitate the formation of a new administration on a comprehensive basis, at a meeting of the leaders of the different political parties convened at Newcastle-house, July 20, lord Rockingham was, by universal consent, fixed upon as the most proper person to preside at the board of treasury. The marquis then proposed general Conway for secretary of state, and minister of the house of commons, to which the duke of Bedford positively objecting, the conference was dissolved; and at a subsequent meeting, the marquis persisting in this nomination, all ideas of a union vanished, it being fully understood that the two parties would not recede in any degree from their opposite systems respecting America: and the ministers actually in office finding numerous and unexpected obstacles to a

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coalition, one party requiring too great a sacrifice of *power*, and the other of *profit*, and perceiving no prospect whatever of a general comprehension, determined to maintain their ground in defiance of all opposition. Thus an opportunity never to be regained was again lost, of effecting a reconciliation of all true lovers of their country, and of establishing the government on a firm and solid basis, honorable to the sovereign, beneficial to the people: but it was otherwise decreed, and most disastrous chances only have governed the destiny of the present reign.

Lord Chatham, who had exhibited some flattering symptoms of recovery, relapsing into his former state of illness and imbecility, Mr. Charles Townshend renewed his intrigues with redoubled assiduity; and, highly resenting that his name was wholly omitted in the late projected arrangements, resolved to devote himself entirely to the court; by whom his advances were so favorably, or rather eagerly received, that the ultimate consequences of his plotting and perverse politics might have proved very perplexing and pernicious, had not his death prematurely and unexpectedly intervened in the month of September, 1767*. The term of this minister's public life

Death of Mr. Charles Townshend, chancellor of the exchequer.

* During the short sunshine of court favor which Mr. Townshend enjoyed, his lady was created a peeress in her own

was too short, and his situation too subordinate, to allow that full and free scope of action which is necessary to the perfect development of a character. From what appears, his ambition, increasing with his increase of honors, was much

right, by the title of baroness Greenwich. In allusion to the extraordinary degree of influence and authority possessed by Mr. Townshend at this period, when lord Chatham advanced rapidly to the close of his ministerial career, a celebrated orator, Mr. Burke, in a speech some years afterwards made in the house of commons, thus expresses himself: "Even then, Sir, before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and for his hour became lord of the ascendant." The following lines, addressed to this brilliant but capricious genius, sufficiently indicate the opinion formed of him by the wits his rivals and cotemporaries:

STANZAS TO THE RIGHT HON. CHARLES TOWNSHEND, BY A FRIEND.

Behold that ship in all her pride,
Her bosom swelling to the tide,
Each curious eye delighting;
With colors flying, sails unfurl'd,
From head to stern she'll match the world
For sailing or for fighting.

Alas, dear Charles! she cheats the sight,
Though all appears so fair and tight,
For sea so trim and ready;
Each breeze will toss her to and fro,
Nor must she dare to face the foe
Till ballast makes her steady.

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better sustained by political ability, destitute as that ability was of a clear and correct judgment, than his ability by political rectitude. He was succeeded in his office of chancellor of the exchequer by Frederic lord North, eldest son of the earl of Guildford—a man as yet but little known to the public, but who soon rose to great eminence in the state. Although his notions of government evidently appeared of the high tory cast, his temper was mild, equable, and pleasant. His abilities, though by no means of the first class, were far removed from contempt; his knowledge of business was extensive, his integrity unimpeached; and, though indolent and unenterprising by constitution, he was occasionally capable of resolute and persevering exertion. It must however be remarked, that a certain indistinctness and confusion of ideas unfortunately pervaded his general system of thinking; and though he seemed habitually to aim at the thing which was right, and often made a considerable approach towards it, he almost invariably stopped short of the true and genuine standard of political propriety. With the reputation of meaning well, therefore, he acquired the imputation of indecision and instability; and the general tenor of his administration must certainly be allowed to exhibit very few indications of energy, wisdom, or force of penetration. But the character

Succeeded by lord North.

of this nobleman will be best appreciated by posterity, in contemplating that faithful portraiture of his actions and conduct, which it is the province of history to delineate. Mr. Thomas Townshend succeeded lord North as paymaster of the forces; Mr. Jenkinson, Mr. Townshend, as a lord of the treasury. Lord Chatham, who had retired in sullen silence, oppressed with illness and discontent, to his seat in Somersetshire, was no longer consulted, from causes which require no additional explanation, either as to the arrangements actually made, or with respect to those which were still in view.

Death of the duke of York.

In the autumn of the present year 1767, died at Monaco in Italy, Edward duke of York, eldest brother to the king—and on this account only entitled to historic notice; his political character remaining as yet unknown, or known only from the unfavorable circumstance of his giving his vote in parliament against the repeal of the stamp act. He is usually represented as a prince of pleasing manners, and *comparative* vivacity of genius; but of superficial attainments in knowledge, and very dissolute in his morals. He was of the naval profession, and had distinguished himself in the last war, when very young, in the attack on Cherbourg, under lord Howe, by his spirit and gallantry. His affability and courage, conjoined with the common advantages

His character.

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of youth, had acquired him no inconsiderable degree of popularity amongst the vulgar; and the esteem of the wise he never sought.

The earl of Northington, who had occupied, amid the successive changes of five different administrations, the high offices of lord keeper, lord chancellor, and lord president, now broken in health, and weary of politics, at this juncture declaring his resolution to resign; new advances were made to the Bedford party, who, convinced that an accommodation with lord Rockingham was impracticable, and finding by protracted experience their political connexion with the Grenvilles to be "weary, stale, flat, and unprofitable," determined at length to close with the offers of the court. About the end of the year, earl Gower was nominated president of the council, in the room of the earl of Northington; lord Weymouth secretary of state, in the room of general Conway, promoted in the military line; and lord Hillsborough was appointed to the new office of secretary of state for the colonies, the creation of which was supposed, with reason, to indicate that the court was preparing to make them the objects of some extraordinary measures. The duke of Bedford was prevented from taking any active or personal share in these transactions, by an inexpressibly heavy domestic affliction which he about this time sustained in the unexpected and

Changes in the administration.

fortuitous death of his only son the marquis of Tavistock, a young nobleman of the highest hopes —a loss which he with difficulty for two or three lingering sorrowful years only survived. Though the political views and principles of the duke of Bedford appear in many respects erroneous, his sincerity and probity remain unimpeached. Honor and rectitude of intention seem indeed hereditary in the house of Russel. 1767.

The earl of Chatham, at present only the shadow of a mighty name, and sequestered in the groves of Burton Pynsent, ceased to be mentioned by the public. After the lapse of some months, perceiving, or believing that he perceived, the fixed and invincible predominance of that malignant influence which, from the accession of the present king, had invariably opposed, and more or less openly counteracted, the essential interests of the people, this nobleman determined upon a resignation; and in the month of October 1768, not being able, or not deigning himself to appear at court, he sent the privy seal to the king, by the hands of lord Camden: it was immediately delivered to the earl of Bristol. Nearly at the same time, the earl of Shelburne, zealously attached to the earl of Chatham, *resigned* the seals of the southern department to the earl of Weymouth, who was succeeded by the earl of Rochford, late ambassador at Paris. 1768. Lord Chatham resigns.

BOOK XIV. 1768.

the end of the year 1741, in a state of the most perfect submission, exhibiting every where marks of the most frightful desolation. A remarkable manifesto was in the course of this horrid warfare published by the Genoese, in which they, with apparent gravity say, "all the world knows the mildness and love with which the republic of Genoa governs her people, and, above all, with what goodness and affection she hath ever regarded those of Corsica." This was farther signally displayed in the proposal made by them, after the reduction of the island, to transport a great number of the *disaffected* inhabitants to the distant colonies of France. "It should seem by this," says a French writer, M. Jaussin, "that they would have been satisfied with remaining sovereigns of the rocks of Corsica, though they had no subjects." Scarcely, nevertheless, were the French departed, than the Corsicans were again in motion. As if actuated by a kind of inspiration, not only men, but women, and beardless boys, appeared in the field, and the whole nation burned with renewed and redoubled ardor to burst the bonds of their ignominious thraldom. The war between England and France having now commenced, and Genoa taking a decided part with the latter, the English fleet in the Mediterranean gave frequent and efficacious succours to the Corsican insurgents,

strongly protected by the emperor Charles V. reduced, under the auspices of the renowned Andrew Doria, the island again under their yoke, Sampieri d'Ornano, the principal leader of the insurgents, whom Thuanas styles "*vir bello impiger et animo invictus,*" being basely assassinated, A. D. 1567, by the treachery of Genoa. Despised, plundered, and oppressed, the Corsicans, after a long succession of wretched and calamitous years, suddenly and unexpectedly rose in arms in 1729, and possessed themselves of the city of Corte, the ancient capital of the island. But the republic applying for, and receiving, powerful succours from the emperor Charles VI. an accommodation took place, and a treaty was concluded under the imperial guarantee. This being almost immediately broken by the Genoese, the Corsicans in a few years rose anew; and, after a short interval, elected the famous Theodore baron Neuhoff for their sovereign. The republic, no longer adhering to the political system which connected her with the court of Vienna, now applied to France for assistance; and in the year 1739 a great force was sent over under the count de Maillebois, by whose able, and at the same time relentless exertions of military skill and vigor, the island was once more totally vanquished; the French auxiliaries leaving it, at

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the end of the year 1741, in a state of the most perfect submission, exhibiting every where marks of the most frightful desolation. A remarkable manifesto was in the course of this horrid warfare published by the Genoese, in which they, with apparent gravity say, "all the world knows the mildness and love with which the republic of Genoa governs her people, and, above all, with what goodness and affection she hath ever regarded those of Corsica." This was farther signally displayed in the proposal made by them, after the reduction of the island, to transport a great number of the *disaffected* inhabitants to the distant colonies of France. "It should seem by this," says a French writer, M. Jaussin, "that they would have been satisfied with remaining sovereigns of the rocks of Corsica, though they had no subjects." Scarcely, nevertheless, were the French departed, than the Corsicans were again in motion. As if actuated by a kind of inspiration, not only men, but women, and beardless boys, appeared in the field, and the whole nation burned with renewed and redoubled ardor to burst the bonds of their ignominious thraldom. The war between England and France having now commenced, and Genoa taking a decided part with the latter, the English fleet in the Mediterranean gave frequent and efficacious succours to the Corsican insurgents,

and St. Fiorenzo, and Bastia were in the year 1745 recovered, by their assistance, from the Genoese. BOOK XIV. 1768.

In the succeeding year, the Corsicans, now conducted by count Rivarola, made proposals to the earl of Bristol, then ambassador from the court of London at Turin, to put themselves entirely under the protection of Great Britain. This was, however, in terms of respect, declined by the English court; and on the conclusion of the treaty of Aix-la-Chapelle, the Corsicans were ungenerously, and with true political apathy, left to their fate. The contest was, nevertheless, continued with various success; but the Corsicans having, A.D. 1755, elected as their chief, Pascal Paoli, son of the former leader Giacinto, a man of distinguished talents and virtues, a regular government, on a free and democratic basis, was formed under his invigorating influence, and great advantages gained over the Genoese in the subsequent conduct of the war. The hoary and venerable chief Giacinto had many years before retired to Naples, devoting himself to the education of his son. Embracing him at parting, with patriotic and paternal exultation, he said in broken accents, "My son, I may possibly never see you more, but in my mind I shall ever be present with you:

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your design is a great and noble one, and I doubt not but God will bless you in it. The little that remains to me of life I will allot to your cause, in offering up my prayers and supplications to Heaven for your protection and prosperity."

The proclamation issued by the king of England in 1762, under the inauspicious administration of the earl of Bute, prohibiting his subjects from giving aid or assistance in any shape to the *Corsican rebels*, when England was in a situation to have established, by a single word, the liberty and independency of Corsica, was a terrible blow to these unfortunate islanders, and no doubt emboldened the court of Versailles to conclude the subsequent treaty with Genoa, by which the progress of the Corsican general was arrested in the midst of his victories *. The aid

* On this occasion, M. Rousseau indignantly wrote to his friend M. de Leyre, at Parma: "Il faut avouer que vos François sont un peuple bien servile, bien vendu à la tyrannie, bien cruel, et bien acharné sur les malheureux. S'ils savoient un homme libre à l'autre bout du monde, je crois qu'ils y iroient pour le seul plaisir de l'exterminer." On the other hand, Muratori, who published, from the king of Prussia's library, an account of Corsica, written in the 16th century by Petrus Cyrnæus, a priest of the diocese of Aleria in that island, says, "Corsi, ferocium atque agrestium hominum genus, et in seditionem facilè pronum, *Serenissimæ Genuensium Reipublicæ*, conversis in rebellionem animis, a multo tempore negotium

of France was however granted in a mode conformable to the insidious policy of that court, which, influenced by the aspiring councils of the duc de Choiseul, was ambitious to annex

non leve facessunt—Qualem Petrus Cyrnæus gentem suam describit, perpetuis contentionibus ac turbis fluctuantem, talem presens quoque ætas agnoscit, ac sentit." The disposition of the *Serene Republic*, thus disquieted by the turbulence of the nation she so eagerly desired to hold in her chains, is curiously depictured in an anecdote related by the abbé Richard: "Le royaume de Corse," says this writer, "dont la république possede quelques places maritimes, lui coute prodigieusement. Elle n'en retire aucun avantage réel, et elle a toujours à combattre un peuple indiscipliné armé pour la liberté. Mais comme les nobles Genois se regardent tous comme solidairement ROIS DE CORSE, cette raison, qui est très forte sur leur esprit, les déterminera toujours à ne rien épargner pour conserver au moins ce titre. C'est l'objet d'ambition qui les touche le plus. Rien n'est aussi intéressant pour eux que les nouvelles de ce pays—surtout quand la balance paroit pancher du côté des rebelles. Une dame Genoise, fort inquiete de quelque succès qui sembloit annoncer une révolution totale en faveur des insulaires, apprenant que les espérances de la république se rétablissoient, dit dans un transport de joie, DIEU merci! nous sommes donc encore UN PEU REINES!" Mr. Boswell, in his interesting account of Corsica, published at this period, tells us, that general Paoli seemed deeply hurt at the treatment which Corsica had received from this country; and particularly mentioned to him the severe proclamation of 1762, in which the brave islanders were styled the REBELS of CORSICA. He said, with conscious pride and feeling, "REBELS! I did not expect that from GREAT BRITAIN."

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Corsica to its other dominions. The Genoese, perceiving no prospect of a termination of the war, at length made a formal cession of the island to the French king; and a very large body of forces was immediately ordered to embark, for the purpose of taking possession. This could not fail to excite great jealousy and alarm in the several courts of Europe most adverse to France; and England and Holland, in particular, presented, by their respective ambassadors, strong memorials to the court of Versailles, expressive of their resolution not to suffer this addition to the power of the French monarchy.

In consequence of this spirited language, the duc de Choiseul began to waver; and lord Rochford, in his dispatches transmitted at this period to England, seemed not to harbour a doubt that France would finally concede in every point required of her. Most unfortunately the duc de Choiseul received, at this critical moment, whether through treachery or gross and unpardonable indiscretion, is not clearly ascertainable, *satisfactory assurances* that the cabinet of England would not, in the present circumstances, involve the nation in hostilities on account of this object. Suddenly the language of the French court became haughty and peremptory, and breathed an air of hostility and defiance. The English mi-

nisters, astonished at this alteration, and at a loss how to decide, sent, together with a considerable supply of arms and ammunition, a private message to general Paoli, desiring full information respecting the defence he was able to make, and how long he deemed that Corsica would be competent to resist the force employed on this service. General Paoli, instead of ingenuously acknowledging that the island must fall, without immediate and powerful succours from England, affirmed that it could not be reduced in less than eighteen months; erroneously imagining, perhaps, that to magnify the strength and resources of his country, might be the most effectual means of inducing England to take a decided part in her favor: but while the English ministers were hesitating and deliberating, the French arms made a rapid and alarming progress; and Paoli, discerning no symptoms of vigor in the English councils, thought proper to make a seasonable retreat, leaving his unfortunate country to its hard and unmerited fate. He was, however, well received by the court of London on his subsequent arrival in England, and an ample pension was settled upon him, in reward of his heroism, or, according to the malicious construction of some, as the guarantee of his silence.

Parliament was convened early in the present year, 1768; but nothing peculiarly interesting or

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important occurred in the course of the session, with the single exception of a bill introduced and patronized by the opposition, under the denomination of the nullum tempus bill, for quieting the possessions of the subject, and securing them from all obsolete and vexatious claims, with a particular view to the claims of the crown, against which it was held to be a maxim of law that no prescription could be pleaded. This bill originated in an incident of an extraordinary nature. The Portland family had, in consequence of a grant from king William, possessed for seventy years the honor of Penrith and its appurtenances, situated in the county of Cumberland. The forest of Inglewood, and the manor and castle of Carlisle, being considered as parts of this grant, were quietly enjoyed by the family for several descents, under the same tenure, though not particularly specified. Sir James Lowther, the son-in-law of lord Bute, being apprized of this omission, made a clandestine application to the crown for a lease of the premises in question; and the surveyor-general of the crown lands, though no lawyer, nor acting on the opinion of any lawyer, took upon him to decide, that these estates were still vested in the crown. Orders were therefore issued for a new grant to sir James Lowther, in which the soccage of Carlisle was rated at 50*l.* per annum,

Nullum tempus bill.

and the forest of Inglewood at 14*s.* 4*d.*; though in reality of immense value, and commanding an extensive election influence. When the board of treasury met, after a long adjournment, the duke of Portland presented to the lords a memorial, in which he prayed to be heard by their lordships in defence of his title. He was informed that no step would be adopted to his prejudice, till an impartial investigation had taken place. But whilst the duke's agents and solicitors were employed in a laborious search into ancient and mouldered monuments, surveys, and court-rolls, his grace was informed that the grant was actually completed; and, notwithstanding the caveat entered in the court of exchequer, the chancellor, lord North, affixed the seal, in pursuance of a positive order from the lords of the treasury. BOOK XIV. 1768.

When this most extraordinary business came under parliamentary discussion, the advocates of the court maintained, "that the premises in question were no part of the honor of Penrith, and that the resumption was therefore justifiable; that the family of Portland was sufficiently paid for any services which it might have rendered the nation; and after enjoying for the space of seventy years an estate to which it had no right, it was said they might now be contented to resign it into the hands of the true owner." The opposition in-

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dignantly replied, "that the revival of the obsolete and dormant prerogative of resumption, in the face of a long and uninterrupted prescription, was in the highest degree detestable and alarming; that resumptions had been practised only by the worst or most arbitrary of our princes, and even by them with caution, as sensible of the general abhorrence which every act of that kind must excite. The maxim on which they were founded, was asserted to be the disgrace of the prerogative, and the scandal of the law; and it could scarcely have been imagined, that the most enlightened ages would revive a practice which the darkest times had held in detestation. All the lands of the kingdom have been at different times in the hands of the sovereign, and a large proportion of them, from the loss of authentic deeds, may be liable to similar claims; and thus the subject may be harassed and ruined by frivolous and vexatious suits, whenever he becomes obnoxious to an arbitrary ministry. To ground a proceeding of this nature upon the mere report of the surveyor-general of the crown, unsupported by any authority of law, was reprobated as a mockery and insult, amounting to an evident abandonment of every principle of equity and justice. When our kings had little other fixed revenue than what arose from their demesne lands, resumptions might be more

easily deemed pardonable; but when a vast permanent revenue was settled by parliament on the crown, the plea of necessity is wholly precluded; not to mention that the reserved rent was too contemptible a consideration to be supposed in the remotest degree to have influenced the resumption. This act is evidently a continuation of that vile and pernicious system, which had its origin at the commencement of the present reign; a system, one of whose favorite objects it has been to affront and disgrace those families who were most strenuous in effecting the Revolution, and in securing the throne to the house of Hanover." The ministers of the crown contented themselves with alleging, that further time was necessary for the full investigation of this bill, and a motion was made for the postponement of it till the ensuing session. This was carried by a majority of twenty voices only; and not to resume the subject, it may be here remarked, that the nullum tempus bill passed subsequently into a law; and thus the oppression of an individual, agreeably to the happy genius of the English constitution, became the means of extending and securing the rights and liberties of the community at large. BOOK XIV. 1768.

When this great cause was subsequently argued before the barons of the exchequer, the late grant was judged invalid, as contrary to the

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statute of queen Anne, which enacts, that upon every grant, lease, or assurance, from the crown, the reserved rent be not less than one-third of the clear yearly value of such lands, manors, or messuages, as shall be contained in such lease or grant; and to the infinite satisfaction of every impartial person, sir James Lowther was finally nonsuited, after having thrown the whole county of Cumberland into the utmost confusion, above four hundred ejectments being, as it is affirmed, served by the agents of sir James Lowther upon the sub-tenants and actual occupants of those extensive demesnes in one day.

Irish Octennial bill passed.

At this period a bill of singular importance passed the parliament of Ireland, limiting the duration of parliaments in that kingdom to eight years; to which the sanction of the crown was, after a long delay, reluctantly given; and a new and striking proof was exhibited of that independent spirit, by the uncontrolable operation of which, Ireland was visibly hastening to its final emancipation from the English yoke.

Dissolution of parliament.

The British parliament having now nearly completed the full legal term of its existence, was dissolved, with many expressions of acknowledgment from the king for its faithful attention to the public service, and its earnest zeal for the preservation of the constitution. Such had been the varying complexion of this assembly, under

a rapid and unexampled succession of administrations, that it is difficult to determine whether, on a review of their conduct, it is most deserving the public censure or applause. Perhaps it might more properly become the subject of our inquiry, whether the perpetual vicissitude and fluctuation of counsels by which it was characterized, *just as the* INDEX *of the* TREASURY *pointed*, be not itself a proof of political obsequiousness, wholly incompatible with that dignity of independence by which British parliaments were once distinguished. BOOK XIV. 1760.

"After the expulsion of the Stuarts," says a learned and ingenious foreigner, l'abbé Millot, "the royal prerogative was contracted; but the sovereign was scarcely less powerful. Having places and honors at his disposal, he could bias that multitude of ambitious or venal souls who worship fortune. A CONTAGIOUS CORRUPTION, produced by wealth and intrigue, infected that haughty people, so jealous of their liberty: the COURT filled the lower house of parliament with its partisans, for the purpose of influencing their debates, and of drawing from thence enormous subsidies. There have been always in England vigilant, jealous, incorruptible men, who have their country incessantly before their eyes, who struggle against the torrent of FOREIGN INTERESTS, and who speak

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like citizens, in the midst of the most corrupt assembly. A government where such men may freely speak their thoughts, where they speak them without fear and without evasion, has in itself a grand principle of life and vigor. But since the crown has had a standing army, since it has had interests which do not concern the nation, since it can depend on the votes of a long parliament; the balance of those powers which form the constitution is become more difficult to support. CORRUPTION, by DESTROYING PRINCIPLES, may one day occasion more mischief than the VIOLENCE of DESPOTISM."

General election productive of expensive disorder.

The ensuing general election was signalized above all others by the immense sums expended in electioneering contests. The *current price of boroughs*—for such is the corrupt state of the national representation in England, that this language is authorized by common use—was enormously raised by the rival plunderers of the East and of the West, who, by a new species of alchymy, had transmuted into English gold, *the* BLOOD *of* AFRICA, *and the* TEARS *of* HINDOSTAN. Many private fortunes were ruined, or materially impaired, by contests carried on with the utmost shamelessness of political depravity *.

* On a view of this debasing and degrading scene, we might, on whatever portion of the land we cast our eyes,

The circumstances attending the election for Middlesex alone, however, demand, from their superior importance, and connexion with general politics, the specific notice of history. BOOK XIV. 1768.

truly and feelingly exclaim in the language of patriotism and poetry:

Corruption ranges with gigantic stride,
And scarce vouchsafes his shameless front to hide:
The spreading leprosy taints every part,
Infects each limb, and sickens at the heart.
Simplicity, most dear of rural maids,
Weeping, resigns her violated shades;
Stern Independence from his glebe retires,
And anxious Freedom eyes her drooping fires!
By foreign wealth are British morals chang'd,
And Afric's sons and India's smile aveng'd.

EPIST. TO MR. WILBERFORCE.

BOOK XV.

Mr. Wilkes returned for Middlesex—Committed to the King's Bench—Expelled the House of Commons. Consequences of the Expulsion. Charter of the East India Company renewed. The King's Debts discharged without Investigation, 513,000 l. Lord Hillsborough's Circular Letter. Ferment in the Nation. Letters of Junius. Lord Chatham's successive Motions respecting the Middlesex Election. Dismission of Lord Camden. Changes at Court—Duke of Grafton resigns. Resignation of Sir John Cust, the Speaker—succeeded by Sir Fletcher Norton. Farther Proceedings on the Middlesex Election. American Port Duties repealed—Tea excepted. Grenville Act passed. Inflexibility of the Irish Parliament on the Subject of Money Bills. Petition and Remonstrance of the City of London to the King. Transactions relative to Falkland's Islands. New Shoreham Disfranchisement Bill. The Lord Mayor of London committed to the Tower. Enormous Addition to the Peace Establishment. Princess Dowager of Wales's Death. Royal Marriage Bill. Petition of the Clergy to the House of Commons. Motion for a farther Enlargement of the Toleration Act. Character of Mr. Fox. India Affairs—Inquiry into the Conduct of Lord Clive. War waged by the King of England against the Caribbs of St. Vincent's. Second Motion for an Enlargement of the Toleration Act.

IT is necessary to recall to our recollection, that Mr. Wilkes, by his contumacious contempt of the proceedings instituted against him in the courts at Westminster, suffered a sentence of outlawry to be passed upon him; and for several

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years preceding this period he had resided in different parts of the continent. But at the eve of the present election, he had the audacity to appear publicly at Guildhall, and offer himself as a candidate for the city of London.

On the first advancement of the duke of Grafton to the premiership, Mr. Wilkes had written to that nobleman in a strain sufficiently respectful, and even flattering, "congratulating his country on that event, and entreating his grace to mediate his pardon from the king; declaring, that he had never, in any moment of his life, swerved from the duty and allegiance he owed his sovereign; and professing in every thing to submit to his majesty's clemency. 'Your grace's noble manner of thinking,' says he, 'and the obligations I have formerly received, which are still fresh in my mind, will, I hope, give a full propriety to this address; and I am sure, a heart glowing with the sacred zeal of liberty must have a favorable reception from the duke of Grafton." This application was unfortunately treated with neglect and disdain; and Mr. Wilkes's hopes of pardon being extinguished, he resolved to make his enemies feel, if possible, the effects of his resentment. At the present crisis, the conduct of the court appeared wholly unaccountable. There was plainly no just medium discoverable between the opposite deter-

minations of rigor or lenity. If the former were adopted, by putting into immediate execution the sentence of outlawry, his projects of revenge and ambition would have been easily and completely defeated. If, on the contrary, the wiser and more generous plan of lenity were preferred, a full and free pardon should have been granted; and with his persecution his influence and popularity would of course cease to exist. To halt between the two opinions, was an infallible proof of weakness and infirmity in the cabinet councils. BOOK XV. 1768.

It is remarkable, that although this *pseudo-patriot* was received by the populace with loud acclamations, and a great majority of hands appeared in his favor, he was on the poll contemptuously rejected. Far from being dispirited by this defeat, he immediately declared himself a candidate for Middlesex; and the electors for this county consisting chiefly of freeholders of the lowest class, he was returned by a decisive majority. Such was the exultation of the populace at this event, that they paraded the streets of the metropolis, and compelled the inhabitants to illuminate their houses, as if some signal victory had been gained; and the chief magistrate Harley was openly and grossly insulted by a violent assault upon the mansion-house. Mr. Wilkes returned for Middlesex.

The ministry, who had remained unaccount-

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ably passive at his first appearance, now seemed to awaken from their lethargy. Mr. Wilkes, having with much discretion surrendered himself to the jurisdiction of the king's bench, obtained a reversal of his outlawry: but the verdicts given against him on both trials were now affirmed by lord Mansfield, and he was in consequence condemned to suffer two years' imprisonment; to pay a fine of one thousand pounds; and to find security for his good behaviour during the space of seven years. The severity of this sentence was rendered more odious by the extraordinary and unjustifiable methods taken to procure his conviction, and by the arbitrary and unprecedented alteration of the records, by direction of the judge, on the very night preceding the trial.

Mr. Wilkes committed to the king's bench.

The multitude, enraged at this oppressive procedure, rescued by force Mr. Wilkes from the officers who were conducting him to prison, and carried him in triumph through the city; but through his earnest endeavours and entreaties, they were prevailed on to abstain from all further acts of outrage. At midnight, when the mob was dispersed, Mr. Wilkes again surrendered himself to the custody of the marshal of the king's bench, in meritorious obedience to the laws of his country. Many persons being accustomed to assemble before the gates

of the prison, it was judged expedient to station a military guard in the vicinity for its security. BOOK XV.

On the 10th of May, 1768, the new parliament was convened, and vast multitudes were collected about the king's bench, and the fields adjacent, under the idea of seeing Mr. Wilkes go to the house of commons. Having waited a long time in vain, they began to grow insolent and clamorous; and the justices of the peace, who attended for the purpose, thought it necessary, after enduring much outrage and personal injury, to read the riot act; on which the people, highly exasperated, interrupted them with throwing showers of stones, and other missile weapons. The soldiers, irritated in their turn, and impatient of attack, were now ordered to fire, and more than twenty persons were killed or wounded at the first discharge. Several of the military, pursuing a supposed offender, shot most unfortunately in his stead one Allen, a youth who had taken no part whatever in the affray, dead, in a hovel or cow-house belonging to his father, in the very act of imploring mercy. This incident awakened the pity, as the conduct of the magistrates, however justifiable in their circumstances, excited the indignation of the public. It was said, with bold and injurious asseveration, that the justices caused the riot by reading the riot act; and the thanks returned 1768.

BOOK XV. 1768. in the king's name to the detachments employed in this odious service, which somewhat unluckily happened, in the routine of duty, to be drafted from the third, or *Scotch* regiment of guards, heightened and inflamed to an incredible pitch the passions of the people.

After a very short session, and merely passing one or two bills *pro forma*, the parliament was prorogued till November, and the ministers had full leisure to consider what specific measures, after the multiplied errors of their predecessors, prudence and moderation, words of hateful sound within the verge of a court, now dictated as the rule of their future conduct.

Towards the close of the year died, at a very advanced age, the duke of Newcastle, who, for more than fifty years, had occupied the highest offices and honors of the state. At the conclusion of his long career, so low had he sunk in political importance, that he might with propriety have adopted the words of the poet,

"I've been so long remember'd, I'm forgot."

He was succeeded in the chancellorship of the university of Cambridge by the duke of Grafton. Nearly at this time also died Dr. Secker, archbishop of Canterbury, which metropolitan see, after the death of Dr. Herring, had been filled with great respectability, for a short interval, by

Dr. Hutton, on whose decease in 1758 this high dignity was conferred on Dr. Secker, at that time bishop of Oxford; a prelate of a life rigidly virtuous, completely versed in all branches of ecclesiastical learning, but of a capacity by no means elevated, and whose zeal was at least as conpicuous as his candor and judgment. His ardent desire to establish episcopacy in America is well known; and if no fears and jealousies had been entertained, that the new bishops would have been invested with some sort or degree of temporal jurisdiction, the plan would not have been opposed by the Americans, who declared, that they objected not to the introduction of bishops, but they were determined not to admit of LORD BISHOPS. Bishops on the primitive model, unconnected with the state, have been, since the revolution, introduced into the different provinces, even of New England itself, without exciting the slightest alarm or apprehension. In the character of Secker, though in many respects excellent, we may look in vain for the benignity, the liberality, the generous and enlarged views of his predecessor, archbishop Herring. Dr. Secker was succeeded by Dr. Frederic Cornwallis, bishop of Lichfield and Coventry. BOOK XV. 1768.

During the recess, and while the secret advisers of the court were yet perhaps suspended in doubt what mode of policy to adopt, a

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trivial event turned the scale in favor of that plan of mean and mischievous revenge which seemed most congenial to the spirit characteristic of the present reign. A letter from lord Weymouth, secretary of state, addressed to the chairman of the bench of justices for the county of Surrey, and expressive of the highest approbation of the late proceedings of the magistrates, fell into the hands of Mr. Wilkes, who immediately published it, with a preface sufficiently daring and indignant. When the parliament met (Nov. 8, 1768), lord Weymouth made a formal complaint of breach of privilege, and the house of commons, with little hesitation, resolved this prefatory introduction to be "an insolent, scandalous, and seditious libel." And it being also urged, that Mr. Wilkes was sentenced to a long imprisonment for former offences of a similar nature, and incapable of attending his duty in parliament, it was moved by lord Barrington, secretary at war, that he be expelled the house. His lordship's motion was seconded by Mr. Rigby, paymaster of the forces, a man who, under a specious veil of hilarity and urbanity, concealed a disposition servile and corrupt, combined with a profligate contempt of the obligations of morality, and even the appearances of decorum. The motion was carried by a great majority, but not without severe animad-

Mr. Wilkes expelled the house of commons.

version. It was intimated to be very extraordinary, that such zeal should be displayed against the author of an obscene and impious libel, by him whose life had been one continued scene of obscenity and impiety. It was affirmed, "that the libel with which Mr. Wilkes now stood charged, did not come properly under the cognizance of the house. If the privileges of the peers were violated, or their proceedings arraigned, they were competent to the vindication of their own honor. For the other libels he has been already expelled. Shall the house punish twice for the same offence? In order to satisfy the vengeance of the court, shall we act in direct opposition, not to the forms only, but to the very essence of the constitution? Shall we blend the executive and judicial powers with the legislative, and take upon ourselves the odium of trying and punishing, in a summary manner, an offence cognizable by the laws in the ordinary courts of judicature? Will not this pretended zeal for the honor of religion and the support of good order and government, be clearly discerned to originate in a slavish complaisance to the mandates of the court? Dissimulation is a false garb, which fools put on, and think they wear the robe of wisdom. In the prosecution of this design, if the house should condescend to become the passive instruments of ministerial

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oppression, nothing can ensue but humiliation, contempt, and disgrace."

1768.

Consequences of the expulsion of Mr. Wilkes.

It is notwithstanding singular, that the apparently obvious and probable consequence of this expulsion does not seem to have occurred either to the ministers of the crown, or to the members in opposition. But whatever might have been previously expected, the fact is, that, a new writ being issued, Mr. Wilkes was a second time returned with the greatest unanimity. The house now began to perceive the dilemma in which it had, with such palpable indiscretion, involved itself. By proceeding in this business, they must incur the resentment, perhaps the detestation of the public; by receding, it were impossible to escape their contempt. Preferring what appeared to them the least of these two evils, they resolved, "that Mr. Wilkes, having been once expelled, was incapable of sitting in the same parliament, and that the election was therefore void." The freeholders of Middlesex, equally determined with the house of commons, chose him a third time their representative, with the same unanimity. The election was again declared void by the commons; and in order to terminate a contest in which the house appeared to so little advantage, colonel Luttrell, a member of that assembly, had the courage voluntarily to vacate his seat in

parliament, with a view to offer himself as a candidate for Middlesex; being previously assured that he should, at all events, and whatever might be the disparity of numbers upon the poll, be the sitting member. At the fourth election Mr. Wilkes was again returned by the sheriffs, the votes in his favor being 1243 to 296; but, on a petition from colonel Luttrell, he was, after a vehement debate continued to a very late hour (March 3, 1769), declared DULY ELECTED!

By this decision the nation was thrown into a paroxysm of rage and consternation, which the occasion certainly could not justify, and which only served to shew how a comparatively trivial question may be magnified into artificial importance, by making it the object of political and personal contention. It could not be denied that the house of commons had ever exercised a judicial authority, which could in no other hands be so properly placed, in determining upon tne validity of returns, and the qualifications of their own members. This authority might undoubtedly be abused, or indiscreetly exercised. But all power is in its own nature liable to abuse; and if so vague an objection be admitted, the powers vested in all political bodies, however constituted, must be annihilated, and the bands of civil society are

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at once dissolved. The power of expulsion for such offences as appear to the house to render any of its members unworthy of the trust reposed in them, had been exercised in numerous instances from time immemorial; and though no case precisely similar to the present, in all its circumstances, could be adduced, the house of commons now existing had certainly as valid a right *to make a precedent* in a new case within the limits of their own peculiar jurisdiction, as any former house of commons, or as the courts sitting in Westminster-hall: and had the expulsion of Mr. Wilkes been itself a popular measure, the subsequent steps taken by the house would, no doubt, have been deemed perfectly regular, as analogous to the spirit of former decisions, conformable to the general powers of adjudication vested in the house, and necessarily flowing from the original and established parliamentary right of expulsion.

In the famous case of sir Robert Walpole, expelled the house, A. D. 1711, for "breach of trust and corruption," and *re-elected* for the borough of Lynn Regis, the house resolved, that he was incapable of sitting in that parliament, though they did not, on that occasion, venture to declare Mr. Taylor, the candidate next upon the poll, duly elected. But in the case of serjeant Comyns, who, being returned for the borough

of Malden in the year 1715, had refused to take the qualification oath, the house more consistently determined, that the votes given to Comyns were lost, and that Mr. Tuffnell, next upon the poll, was duly elected. And in the case of Bedford, 1727, the house, in conformity to the former decision, declared Mr. Orlebar duly elected, though inferior by no less than two hundred and twenty-five votes on the face of the poll to Mr. Ongley, who was previously disqualified by holding the office of commissioner of the customs. From these authorities combined, a complete precedent might therefore be formed; the first affirming, that a member once expelled could not sit in the same parliament; the two latter, that votes given to a disqualified person, were absolutely, and to every elective purpose, null and void. But if no precedents could have been adduced, the reason of the thing would evidently have dictated to the house such a decision as was essential to the dignity and consistency of their own jurisdiction, and to the avoidance of an absurdity so palpable and ridiculous as would be the doctrine now, for the first time, promulgated, that parliament had a right to expel *in infinitum*, and the electors a right to re-elect *in infinitum*.

To charge, therefore, as many scrupled not to do, in consequence of their determined conduct

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tion of that invisible and malignant influence which seemed perpetually to shed its poisonous and deadly dews over the political atmosphere*, the project was revived, incredible as it may seem, of drawing a revenue from America, in a mode not indeed in all respects analogous to that which had been so recently abandoned, but which, in her present irritable state of mind, equally served to rekindle those alarms and jealousies, which might reasonably be supposed rather allayed than extinguished. Mr. Charles Townshend, chancellor of the exchequer, in one of his vain and capricious moods (if his apparent levity of conduct is not rather to be attributed to a higher and less fortuitous source), boasted in the house of commons, "that he knew how to draw a revenue from the colonies without giving them offence." Mr. Grenville instantly and eagerly urged this minister, yet in the noviciate of his office, to pledge himself to the execution of this fine project; which he hesitated not in the most decisive manner to do, general Conway, secretary of state, listening with silent astonishment. When this engagement came under subsequent discussion in the cabinet, it was most reluctantly assented to by the principal members of administration, who, however in-

New project of American taxation.

* ——— ——— "Talis sese halitus atris
Faucibus effundens supera ad convexa ferebat." VIRGIL.

thirty-three thousand men were voted for the sea and land service of the year 1769. The charter of the East India company was prolonged for the farther term of five years, on conditions similar to the last agreement; but the company were now allowed to increase their dividend to twelve and a half per cent. during this term, provided they did not in any one year raise it above one per cent. On the other hand, should the dividend be reduced below the present standard of ten per cent. the stipulated payment of 400,000*l.* per annum to the public, should be proportionally diminished; and if the dividend should sink to six per cent. the payment to the public should wholly cease.

1769. Charter of the East India company renewed.

A message from the king was, on the last day of February (1769), delivered to the house by the chancellor of the exchequer, acquainting them that the arrears of the civil list amounted to the sum of 513,000*l.* and desiring the assistance of his *faithful commons* to discharge this heavy incumbrance. Such was the zeal and loyalty of the house, and such their unlimited confidence in his majesty's prudence and economy of expenditure, that, on the 2d of March, the sum required was granted, without any formality of investigation.

The arrears of the civil list discharged.

On the 9th of May parliament was prorogued; his majesty delivering upon the occasion a speech

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in which the loyalty and affection of his "faithful commons" were highly applauded; and a promise made of confining for the future the expences of his civil government within such bounds, not as the law had prescribed, but as the HONOR of his CROWN would admit.

Lord Hillsborough's circular letter.

At this period a circular letter was written by the earl of Hillsborough, secretary of state for America, to the different colonies, acquainting them, "that it was the intention of his majesty's ministers to propose, in the next session of parliament, taking off the duties upon glass, paper, and colors, on consideration of such duties having been laid contrary to the true principles of commerce; and assuring them, that at no time had they entertained any design to propose to parliament to lay any further taxes on America for the purpose of raising a revenue." Notwithstanding the *salvo* of commercial principles, it was sufficiently evident that this concession was solely and wisely made with a view to conciliate America, in this crisis of disaffection and discontent in England. But as the wisdom of man is generally blended with a portion of folly, the duty on *tea* was purposely and invidiously left, as a mark of the legislative supremacy of Britain, very contrary to the inclinations and earnest endeavours of the minister, who, by cogent arguments, demonstrated in council the impolicy of

leaving that fatal germ of contention to expand into incurable animosity. But though the duke of Grafton was on this occasion powerfully supported by lord Camden, and various other names of the highest respectability, his system of moderation was most unfortunately over-ruled in the cabinet, in a favorite point of primary importance within his own department, by the operation of that secret and baleful influence which, it might surely have been imagined, that the evil genius of Britain alone could at this momentous conjuncture have awakened into action; and from this period the duke of Grafton entertained fixed and serious ideas of relinquishing his station, so soon as a successor could be provided by his majesty. BOOK XV. 1769.

Ferment in the nation.

The ferment raised in the nation by the late decision of the house of commons, seemed in the mean time daily to increase in violence. A very bold petition was presented to the king by the freeholders of the county of Middlesex; in which they enlarged on the uniform tendency of the measures of the present reign to destroy that harmony which ought to subsist between the prince and the people; and they concluded a long catalogue of grievances and apprehensions, by declaring, that the right of election had been wrested from them by the unprecedented seating of a candidate who was never chosen by the county;

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who, even to become a candidate, was obliged *fraudulently* to vacate his seat in parliament. "Deign then," say they, "most gracious sovereign, to listen to the prayer of the most faithful of your subjects, and to banish from your royal favor, trust, and confidence, for ever, those evil counsellors who have endeavoured to alienate your majesty's affections from your most sincere and dutiful subjects, and who have TRAITOROUSLY dared to depart from the spirit and letter of those laws, which have secured the crown of these realms to the house of Brunswic."

The city of London presented a petition to the same purport; but the city of Westminster, sensible, as they professed, that decisive measures are the best policy, petitioned expressly for an immediate dissolution of parliament. The county of York, and fourteen other principal counties, with many opulent cities and towns, followed this example; but it is not to be imagined that they could flatter themselves with any serious expectation of success. A few counter addresses were, with great difficulty, procured by the court, and one in particular from a respectable, though in number an inconsiderable proportion of merchants of London, who, in their procession to St. James's, were grossly insulted by the populace. The tumult alarmingly increasing as they approached the palace, the

riot act was read at the palace-gate; and lord Talbot, lord-steward, attempting to interpose, had his staff of office broken in his hand. Several persons were, after a daring resistance, taken into custody by the military, but the indictments subsequently preferred against them at Westminster-hall were all thrown out by the grand jury. BOOK XV. 1769.

Amidst the innumerable multitude of political publications, in which the conduct of the present administration was arraigned in the bitterest terms of severity, the national attention was particularly attracted by a series of letters appearing under the signature of JUNIUS, and written in a style so masterly, as to be generally deemed, in point of composition, equal to any literary productions in the English language. They consisted, however, of little else than splendid declamation and poignant invective, and discovered a cool and deliberate malignity of disposition, which, now the passions and follies of the day have vanished, and given place to other passions and other follies, must excite disgust at least proportionate to our admiration*. Of these cele- Letters of Junius.

* This writer did not hesitate, in numerous instances, to insinuate charges the most heinous and criminal against persons the most distinguished in life, without pretending to support them, though repeatedly and loudly called upon, by even the shadow of a proof. Of the duke of Bedford he says, speaking of the treaty of peace, "It is not possible that so many

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brated letters, by far the most memorable is that addressed to the KING, in which the writer, with equal elegance and energy of diction, exhibits to the view of his sovereign a most striking and faithful picture of his administration. "Whichever way," says this anonymous and invisible speaker, at the conclusion of his epistle, "you turn your eyes, you see nothing but perplexity and distress. You have still an honorable part to act—Discard those little personal resentments which have too long directed your public conduct—come forward to your people—lay aside the wretched formalities of a king—tell them you have been fatally deceived. This is not a time to trifle with your fortune—the people of England are loyal to the house of Hanover, not from a vain preference of one family to another, but from a conviction, that the establishment of that family was

public sacrifices should have been made without some private compensation." The princess dowager of Wales he compares to "the abandoned royal inamorata of the detested Mortimer." Sir William Draper he accuses of having "sold the companions of his victory"—the duke of Grafton with betraying lord Rockingham, and sacrificing lord Chatham, and, in a tone of still more impudent and contemptible abuse, with having, as ranger of one of the royal forests, refused the king's timber to the royal navy. When a man brings forward anonymous accusations of this nature, and basely shrinks from the subsequent investigation, he stands recorded to all future times—a LIAR, an ASSASSIN, and a COWARD.

necessary to the support of their civil and religious liberties. This, sir, is a principle of allegiance equally solid and rational, fit for Englishmen to adopt, and well worthy of your majesty's encouragement. We cannot long be deluded by nominal distinctions—the name of Stuart of itself is only contemptible; armed with the sovereign authority, their principles are formidable—the prince who imitates their conduct should be warned by their example, and, while he plumes himself upon the security of his title to the throne, should remember, that, as it was acquired by one revolution, it may be lost by another." BOOK XV. 1769.

On the appearance of this letter, the attorney-general had orders immediately to file a bill, *ex officio*, in the court of king's bench, against the publisher, Woodfall, for uttering a false and seditious libel. Lord Mansfield, who presided on the trial, in summing up the evidence, informed the jury, that the *fact of publication* was all that came under their cognizance—the question of libel or no libel being a mere question of law, to be decided by the court. This distinction most unquestionably was not authorized by the ancient practice of the courts, though in modern times it had gradually advanced itself into an established principle of jurisprudence. But it is evident, that if this doctrine be admitted, the

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proper use of juries is wholly superseded; and the judge is made, what the constitution never intended him to be—the arbiter of the fate of his fellow-subjects. In reality, it might as plausibly be asserted, that, in the cases of murder or robbery, the mere fact of deprivation of life, or seizure of property, should be found by the jury, and the judge be left to pronounce upon the criminality or innocence of the action, as that the question of law and fact should be separated in the matter of libel. Lord Mansfield himself was compelled, in the present instance, to admit the *power* of the jury to include both in a general verdict, though he affirmed the exercise of this power to be incompatible with their duty and their oath. That the determination of any *mere question of law*, arising out of the circumstances or facts given in evidence, properly and solely appertains to the court, has never been disputed; and indeed such mere question of law is never submitted to the jury: but it is on the other hand equally clear to common sense, that when the charge or criminal allegation, compounded as it must be of law and fact, is referred to the jury, they betray the trust reposed in them, if, when the law is *sufficiently apparent*, they relinquish their grand constitutional privilege of deciding on the guilt or innocence of the person accused. In cases of peculiar difficulty, the jury

are indeed with great propriety permitted to return a special verdict, in which the facts only are found, and it is left to the court to apply the law in conformity to such specific statement: and surely it may be allowed by those who are most deeply versed in the mysteries of the law, that a jury, however incapable in certain cases to determine, *i. e.* to understand the law with the best assistance of the pleaders and of the court, are at least competent to judge whether they do understand it or not. After long deliberation, the jury impannelled in the present cause returned their verdict, "Guilty of printing and publishing ONLY;" thus virtually negativing the seditious meaning and intention, which being of the essence of the charge, though, according to the new doctrine, a question of pure law, the verdict amounted to an absolute acquittal, and the defendant Woodfall was discharged amidst the universal and unbounded acclamations of the people*.

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* In the famous case of Bushel, in the reign of Charles II. that great lawyer and magistrate lord chief justice Vaughan, maintained at large, and with distinguished ability, an opinion diametrically opposite to the *new-fangled* doctrine of the courts, as delivered by lord Mansfield. "In special verdicts," says lord Vaughan, "the jury inform the naked facts, and the court deliver the law; but upon all *general* issues, the jury find, not, as in a special verdict, the fact of every case by it-

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By an almost total secession from business for two years, the health of lord Chatham was in an unexpected degree restored. His mind also was greatly calmed by the reconciliation which he

self, leaving the law to the court, but find for the plaintiff or defendant upon the *issue to be tried*, wherein they resolve both LAW and FACT complicately, and not the fact by itself, so as though they answer not *singly* to the question, 'What is the law?' yet they determine the law in all cases where the issue is joined and tried in the principal case, except where the verdict is special." Lord Raymond, on the trial of Franklin, publisher of the Craftsman, A. D. 1731, appears to have been the first judge who ventured to maintain the modern doctrine in its full extent. Junius himself very justly remarks, in his Letter to lord Mansfield: "In other criminal prosecutions, the malice of the design is confessedly as much the subject of consideration to a jury as the certainty of the fact. If a different doctrine prevails in the case of libels, why should it not extend to all criminal cases?—why not to capital offences? What good reason can be assigned why the life of the subject should be better protected than his liberty or property?" The uniform language of lord Mansfield on this subject, he professes to regard as evidence of a settled plan to contract the legal power of juries, and to draw questions inseparable from fact within the *arbitrium* of the court. This inference, if not strictly just, is at least plausible; but when he says of this distinguished nobleman, "that our language has no term of reproach, the mind no idea of detestation, which has not been happily applied to him, and that he has passed a whole life of deliberate iniquity," we are struck with indignant amusement at the enormity of the charges, and are compelled to acknowledge that they reflect infamy only on the accuser.

had anxiously sought, and which had now taken place, with his nearest relative lord Temple, whom he had ever loved and esteemed, and whose friendship he had, in a transient moment of political elation, rashly and wantonly forfeited. This was an event which he had never ceased to lament. The severe reflections of lord Temple, he said, he could endure, for he knew they proceeded from the warmth and openness of his nature, which was superior to all concealment and hypocrisy. This was an opinion founded on long and intimate knowledge. He had on a former occasion styled him "a man whom he was proud to call his friend, and whose fidelity was as unshaken as his virtue." From the period of this re-union to the end of their lives, the most cordial harmony subsisted between them; and Mr. Grenville also acceding to this reconciliation, the bond of fraternal amity was in appearance perfectly restored; though of the latter, lord Chatham always retained in secret a deeply-rooted dislike and contempt. With his health, his intellectual faculties, so long clouded and oppressed, resumed their pristine force and vigor; and it is remarkable, that from this time to the termination of his life, they shone out with a brightness and lustre in no respect inferior to that which they displayed in the full meridian of his long and glorious career." BOOK XV. 1769.

BOOK XV. 1770.

The parliament met on the 9th of January 1770, and, on the motion for an address to the throne, lord Chatham arose, and declared "that, at his advanced period of life, bowing under the weight of his infirmities, he might perhaps have stood excused if he had continued in his retirement, and never taken part again in public affairs; but the alarming state of the nation called upon him—forced him to come forward once more, and to execute that duty which he owed to God, to his sovereign, and his country. The situation of foreign affairs, was, he said, critical; but what more immediately demanded their lordships' attention was, with grief he spoke it, the divisions and distractions which prevailed in every part of the empire. He lamented those unhappy measures which had alienated the colonies from the mother country, and which had driven them into excesses he could not justify. Such, however, was his partiality to America, that he was inclined to make allowance even for those excesses. The discontents of three millions of people deserved consideration—the foundation of those discontents ought to be removed. This was the true way of putting a stop to those combinations which the address styled 'unwarrantable,' and which he readily admitted to be alarming and dangerous. The discontents of the Americans, however, at the present crisis were

unimportant, in comparison of those which prevailed in this kingdom. It was an obligation incumbent upon that house to inquire into the causes of the notorious dissatisfaction expressed by the whole English nation, to state those causes to their sovereign, and then to give him their best advice in what manner he ought to act. The privileges of the greatest and of the meanest subjects stood upon the same foundation; it was therefore their highest interest, as well as their bounden duty, to watch over and protect the rights of the people. The liberty of the subject," said he, "is invaded, my lords, not only in our distant provinces, but at home. The people are loud in their complaints; they demand redress; and until the injuries they have received are redressed, they will never return to a state of tranquillity: nor ought they; for in my judgment, my lords, and I speak it boldly, better were it for them to perish in a glorious contention for their rights, than to purchase a slavish tranquillity at the expence of a single iota of the constitution. Not being able to entertain the smallest doubt that the present universal discontent of the nation arises from the proceedings of the house of commons upon the expulsion of Mr. Wilkes, I think that we ought in our address to state that matter to his majesty;" and

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Lord Chatham's successive motions respecting the Middlesex election.

with this design his lordship concluded his speech by moving the following amendment to the address: "And for these great and essential purposes we will, with all convenient speed, take into our most serious consideration the causes of the discontents which prevail in so many parts of your majesty's dominions, and particularly the late proceedings of the house of commons, touching the incapacity of John Wilkes, esq. expelled by that house, to be re-elected a member to serve in this present parliament; thereby refusing, by a resolution of one branch of the legislature only, to the subject his common right, and depriving the electors of Middlesex of their free choice of a representative."

The amendment was very powerfully opposed by lord Mansfield, who began with affirming, "that he had never delivered any opinion upon the legality of the proceedings of the house of commons on the Middlesex election, nor should he now. He had locked it up in his own breast, and it should die with him. He acknowledged the unhappy distracted state of the nation, but he was happy to affirm that he had in no degree contributed to it. Declarations of the law made by either house of parliament were," he asserted, "always attended

with bad effects: he had constantly opposed them, whenever he had opportunity, and in his judicial capacity thought himself bound never to pay the least regard to them. But he made a wide distinction between the general declarations of law, and the particular decisions which might be made by either house in their judicial capacity, upon a case coming regularly before them, and properly the subject of their jurisdiction: that, for his own part, whenever the statute law was silent, he knew not where to look for the law of parliament, or for a definition of the privileges of either house, except in the proceedings and decisions of each house respectively: that a question touching the seat of a member in the lower house, could only be determined by that house; there was no other court where it could be tried, nor to which there could be an appeal from their decision: that wherever a court of justice is supreme, and their sentence final, the determination of that court must be submitted to as the law of the land. He admitted that judges might be corrupt, and their sentences erroneous; but these were cases for which, in respect of supreme courts, the constitution had provided no remedy. If they wilfully determined wrong, it was iniquitous indeed, and in the highest degree detestable; but it was a crime of which no human tribunal could take

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cognizance. He avoided entering into the merits of the late decision of the house of commons, because it was a subject he was convinced their lordships had no right to discuss; but he affirmed, that the amendment proposed manifestly violated every form and usage of parliament, and was a gross attack upon the privileges of the house of commons: that there never was an instance of the lords *inquiring* into the proceedings of that house with respect to their own members, much less of their taking upon them to *censure* such proceedings, or of their advising the crown to take notice of them. If, indeed, it be the purpose of the amendment to provoke a quarrel with the house of commons, I confess," said his lordship, "it will have that effect certainly and immediately. The lower house will undoubtedly assert their privileges, and give you vote for vote. I leave it therefore to your lordships to consider the fatal effects which, in such a conjuncture as the present, may arise from an open breach between the two houses of parliament."

Lord Chatham once more rose to complain, that the scope and design of the amendment proposed by him had been totally misrepresented. "The amendment contained a mere statement of facts, and censure was no farther implicated than as the facts themselves were il-

legal or unjustifiable. He made no scruple however to declare, that the constitution of the country had been invaded by the house of commons, and he now heard with astonishment that invasion defended upon principle. What, said he, "my lords, is this mysterious power, undefined by law, unknown to the subject, which we must not approach without awe, not speak of without reverence, which no man may question, and to which all men must submit? When our kings were obliged to confess that their title to the crown, and the rule of their government, had no other foundation than the known laws of the land, I never expected to hear a divine right or a divine infallibility attributed to any other branch of the legislature. Power without right is the most odious and detestable object that can be offered to the human imagination. The noble lord assures us that the house of commons, when they act as judges, have no law to direct them but their own wisdom; that their decision is law, and, if they determine wrong, the subject has no appeal but to heaven. What then, my lords, are all the generous efforts, the glorious contentions of our ancestors, reduced to this conclusion, that, instead of the arbitrary power of a king, we must submit to the arbitrary power of a house of commons? Tyranny, my lords, is in no shape so

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formidable as where it is assumed and exercised by a number of tyrants. But, my lords, this is not the constitution; for we all know that the first principle of the constitution is, that the subject shall not be governed by the *arbitrium* of any one man, or body of men, but by certain laws to which he has virtually given his assent. That the decision of the house of commons violates the spirit of the constitution, is indisputable; but the noble lord affirms that this great grievance admits not of a remedy. My lords, I have better hopes of the constitution, and a firmer confidence in the wisdom and authority of this house. It is possible that the inquiry now recommended may lead us to advise his majesty to dissolve the present parliament; nor have I a doubt of our right to give that advice, if we should think it necessary; and his majesty will then determine whether he will yield to the united petitions of his people."

The amendment, after a vehement debate, was at length negatived; and it may be remarked upon the opposite reasonings employed by these justly celebrated noblemen, that the arguments of lord Mansfield are incontrovertible, on the supposition of the existence of a regular system of government; and that the reasonings of lord Chatham, however abstractedly noble and just, are applicable only to cases which im-

ply, if not an actual subversion of government, at least the expediency of incurring the eventual risque of such subversion. That the jurisdiction of the house of commons extended to the case of the Middlesex election, as well as all other elections, and that the validity of their decision could not on any established judicial principles be disputed, is sufficiently apparent; and if it be admitted that this decision was in fact unwise, or even unjust, it cannot without the utmost extravagance, be deemed such an instance of oppression or misrule as to justify a public or national resistance, or the adoption of any measures which evidently bore that complexion or tendency.

Dismission of lord Camden.

Lord Camden, having in the course of the debate condemned in decisive terms the proceedings of the house of commons, and actually dividing on this occasion with lord Chatham, was immediately compelled to relinquish the great seal; but such was the political consternation prevailing at this crisis, that no person competent to the office could be persuaded to accept it. Mr. Yorke, attorney-general, son of the late lord-chancellor Hardwicke, a man of the highest professional ability, had given, as was reported and believed, a positive assurance to the earl his brother, that he would not upon any terms listen to the offers of the court; but upon

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being sent for by the king, and earnestly solicited, he at length in a fatal moment *consented*, and a patent was immediately ordered to be prepared for his elevation to the peerage, by the title of lord Morden. On repairing to the residence of his brother, in order to explain to him the motives of his acceptance, he was *refused admission*; and in the agitation of his mind, unable to endure the torture of his own reflections, he in a few hours put a period to his existence. The great seal was after this catastrophe put into commission, and at length (January 1771) given to Mr. Justice Bathurst, only son of lord Bathurst, created baron Apsley, a nobleman by whose talents the splendid reputation of lord Camden was in no danger of being eclipsed. The removal of that great magistrate, was followed by the resignation of the dukes of Beaufort and Manchester; the earls of Coventry and Huntingdon; and lord Granby, commander in chief of the forces of Great Britain. The earl of Bristol choosing the tranquil and irresponsible post of first lord of the bed-chamber, vacated by the earl of Huntingdon, the privy seal was delivered to the earl of Halifax.

Changes at court.

On the 22d of January 1770, the marquis of Rockingham moved for fixing a day to take into consideration the state of the nation. His lordship insisted, "that the present unhappy con-

dition of affairs, and the universal discontents of the people, did not arise from any immediate temporary cause, but had grown upon the nation by degrees from the moment of his majesty's accession to the throne: that a total change had then taken place in the old system of English government, and a new maxim adopted, fatal to the liberties of this country, viz. that the royal prerogative alone was sufficient to support government, to whatever hands the administration should be committed. The operation of this principle, his lordship said, could be traced through every act of government during the present reign, in which his majesty's *secret advisers* could be supposed to have any influence. He recommended it therefore strongly to their lordships, to fix an early day for taking into consideration the state of this country in all its relations and dependencies, foreign, provincial, and domestic, for we had been injured in them all. That consideration would, he trusted, lead their lordships to advise the crown, not only how to correct past errors, but how to establish a system of government more wise, more permanent, better suited to the genius of the people, and consistent with the spirit of the constitution."

The duke of Grafton himself rose to second the motion; and lord Chatham, declaring his

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intention anticipated by his grace, protested, that his infirmities must fall heavy on him indeed, if he did not attend his duty in the house that day; and he wished his avowed approbation of the motion now made, to be understood as a public demonstration of the cordial union that now subsisted between the noble marquis and himself. There was indeed a time, he said, when those who wished well to neither, found a sufficient gratification for their malignity against both. But the noble lord and his friends are now, said he, united with me and mine, upon a principle, which I trust will be found as permanent as it is honorable;—not to share the emoluments of the state, but, if possible, to save it from impending ruin.

Duke of Grafton resigns.

The 2d of February was fixed upon by the house for resolving itself into a committee of inquiry; but on the 28th of January, the duke of Grafton unexpectedly resigned his office as first lord-commissioner of the treasury; and lord North, who had now been two years chancellor of the exchequer, was nominated his successor. Thus was at length formed that famous administration, which exercised the powers of government for twelve successive years; and which, not deriving a single ray of reason from the errors of their predecessors, by their rash, violent, and

vindictive measures, shook the mighty and majestic fabric of the British empire to its very foundation. BOOK XV. 1770.

The character of the nobleman who at this crisis voluntarily relinquished the helm of government has been, in consequence of the violent, not to say the malignant and factious, spirit which predominated under his administration, grossly represented. Educated in the purest principles of ancient whiggism, for a zealous attachment to which his ancestors had from the era of the Revolution been conspicuously distinguished *, he made an early and brilliant entrance into public life, under the auspices of the earl of Chatham, who importunately urged his acceptance of the treasury at a difficult and critical juncture, and his compliance was accompanied with much reluctance and hesitation. The unfortunate illness and consequent incapacity of that nobleman proved the source of infinite inconvenience; and the duke of Grafton, deprived of the powerful support which he expected from the wisdom, experience, and popularity of his illustrious friend and co-adjutor, had

* The first duke of Grafton, of whom historians have universally spoken in the highest terms of applause, lost his life, when scarcely past the prime, in defence of his country, at the siege of Cork, under the earl of Marlborough, in the year succeeding the Revolution.

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the chagrin to find himself opposed and over-ruled in the cabinet by the party to whose auxiliary aid he had subsequent recourse; though, in the delusive hope of more propitious times, he was reluctantly persuaded to continue at the head of affairs, the ostensible patron of measures which he in reality discountenanced and disapproved. The dismission of lord Camden, injuriously imputed to the influence of the duke of Grafton, was in fact the immediate cause of his grace's resignation; and the friendship which had long subsisted between these two noblemen suffered no interruption in consequence of the unhappy political differences now prevailing. The late minister, nevertheless, on his secession from office, was far from joining the standard of opposition; and on the grand popular question of the Middlesex election, however farther reflection might suggest the idea, or, to speak more properly, enforce the conviction, of the total inexpediency of the measures adopted by government; he at no subsequent period, even when his connexion with the court was entirely dissolved, at all receded from his original opinion respecting the constitutional and parliamentary rectitude of the vote of incapacitation. And the whole tenor of this nobleman's political life has sufficiently evinced, that he was incapable of acting in a manner which he conceived to be in any

respect contrary to the true and essential interests of his country. BOOK XV.

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Sir John Cust, who had been nine years speaker of the commons, being now incapacitated by illness from executing the duties of his high and arduous office, was superseded at this period by Sir Fletcher Norton, a lawyer of great eminence and ability. On the day succeeding the resignation of the minister, the house of commons resolving itself into a grand committee on the state of the nation, Mr. Dowdeswell moved, "that the house, in the exercise of its jurisdiction, ought to judge of elections by the law of the land, and by the custom and practice of parliament, which is part of that law."—The motion, if adopted, was intended to be followed by other resolutions, purporting the unequivocal condemnation and consequent rescindment of the vote of the last session. This leading proposition was so skilfully worded, that it was impossible to put a direct negative upon it; and to evade it by the previous question, would only lead to a revival of the same motion in a new and varied form. It was therefore with equal parliamentary adroitness at once laid at rest by the court party, who, through the medium of the new minister, lord North, moved, as an amendment, the additional words: "and that the judgment of this house, in the case of

Resignation of Sir John Cust, the speaker.

Succeeded by Sir Fletcher Norton.

Farther proceedings on the Middlesex election.

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John Wilkes, esq. was agreeable to the law of the land, and fully authorized by the practice of parliament." Though the amendment was opposed with vehemence, as a most unfair and disingenuous perversion of the true meaning of the resolution, it was carried upon the division by 224 to 180 voices: thus precluding all hope of redress by any future effort in that house of parliament.

On the 2d of February, 1770, being the day previously fixed upon by the peers for resolving themselves into a similar committee, lord Rockingham, after an introductory speech of some length, moved, "That the house of commons, in the exercise of its judicial authority in matters of election, is bound to judge according to the law of the land, and the known and established law and custom of parliament, which is part thereof." The motion was supported with all his accustomed warmth and energy, by the earl of Chatham, who condemned the conduct of the house of commons in terms of great asperity. He denominated the vote of that house, which had made colonel Luttrell representative for Middlesex, "a gross invasion of the rights of election, a dangerous violation of the English constitution, and a corrupt sacrifice of their own honor. To gratify *individual resentment*," he said, "the laws had been despised, trampled

upon, destroyed—those laws which had been made by the stern virtue of their ancestors—the *iron barons* of old—to whose virtue and whose blood, to whose spirit in the hour of contest, and to whose fortitude in the triumph of victory, the *silken barons* of this day owe their honors and their security. These measures," he affirmed, "made a part of that unhappy system which had been formed in the present reign, with a view to new-model the constitution as well as the government. What might have been only matter of suspicion before, was now demonstrated to universal conviction, viz. that ministers held a corrupt influence in parliament. It was therefore particularly necessary for their lordships to interpose at this critical and alarming period, in order, on the one hand, to moderate the rage of an incensed nation, and, on the other, to form a constitutional barrier against the criminal depredations of his majesty's ministers." The question being now put, it was by a great majority resolved, that the speaker should resume the chair; and the original motion being thus evaded, lord Marchmont, it being now past midnight, moved, "That any resolution of this house, directly or indirectly impeaching a judgment of the house of commons, in a matter where their jurisdiction is competent, final, and conclusive, would be a violation of the consti-

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tutional right of the commons, tends to make a breach between the two houses of parliament, and leads to a general confusion."

This motion being zealously supported by lord Mansfield, lord Chatham again rose, and by cogent reasonings endeavoured to shew the necessity of the interference of that house, in case of an invasion of the people's liberties, or an unconstitutional determination of the house of commons; and he affirmed, that the case of the county of Middlesex fell under both those denominations: then suddenly apostrophizing the house, he conjured the peerage of England, by the noble blood which had flowed for so many ages in their veins, by the glorious struggles of their ancestors in behalf of liberty, not to behold with indifference a transaction so alarming. "If," said he, "my lords, the constitution must be wounded, let it not receive its mortal stab at this dark and midnight hour, when almost every eye is closed in sleep, and when robbers and assassins only are awake and prowling for their prey." At half past one in the morning the question was put, and decided in the affirmative, though accompanied by a strong and animated protest.

Early in the following month of March, a second address and petition was presented to the throne by the city of London, expressed in

the most poignant terms of severity and reproach; and concluding with a prayer, beseeching his majesty to dissolve the present parliament, and to remove those evil ministers who had been guilty of violating the freedom of election, and depraving the noble constitution of parliament, for ever from his councils.

The exertions of lord Chatham, during this remarkable session, were vigorous and uninterrmitted. On the 1st of May, 1770, his lordship presented to the house a bill "for reversing the adjudications of the house of commons, whereby John Wilkes, esq. has been adjudged incapable of being elected a member to serve in this present parliament, and the freeholders of the county of Middlesex have been deprived of one of their legal representatives." In descanting on the subject of this bill, he declared, "that a violent outrage had been committed, which struck at every thing dear and sacred to the liberties of Englishmen. I am afraid," said he, "my lords, that this measure has sprung too near the throne. I am sorry for it; but I hope his majesty will soon open his eyes, and see it in all its deformity." The motion for the second reading being negatived, lord Gower moved for its rejection; and on a division, 89 voted for the motion, 43 against it. Before the house adjourned, lord Chatham desired their lordships

BOOK XV. 1770. might be summoned for the 4th of May; "for," said he, "I have a motion of great importance to make relative to the KING."—And the lords being summoned accordingly on the day appointed, lord Chatham moved, "that it is the opinion of the house, that the advice inducing his majesty's answer to the late address of the city of London, is of a most dangerous tendency; inasmuch as the exercise of the clearest rights of the subject has been thereby checked and reprimanded; an answer so harsh," his lordship affirmed, "as to have no precedent in the history of this country, and such as the Stuarts had never dared to venture upon in the zenith of their power." In the address alluded to by his lordship, which also bore the unusual title of a *remonstrance* to the king, the addressers hazard the extravagant affirmation, "that the house of commons have done a deed more ruinous in its consequences than the levying of ship-money by Charles I. or the dispensing power assumed by James II.; a deed which must VITIATE ALL THE PROCEEDINGS of this parliament; for the acts of the legislature can no more be valid without a legal house of commons, than without a legal prince on the throne." Thus we see how folly on the part of the government generates faction on that of the people. Notwithstanding the deference due to the opinion of lord Chatham,

whose patriotic ardor transported him on this occasion far beyond the sober limits of discretion, it must be acknowledged that the king, in his answer, with too much reason, pronounced the contents of this remonstrance "to be disrespectful to himself, injurious to parliament, and irreconcileable to the principles of the constitution." It is scarcely necessary to add, that the motion of lord Chatham was negatived by a vast majority; and the address itself gave birth to a resolution of the house of commons, that "to deny the legality of the present parliament, or to assert their acts to be invalid, was unwarrantable, and tended to destroy the allegiance of the subjects;" and a joint address was presented to the king by the two houses, thanking him for his conduct on this occasion. The language of the courtiers against the framers of this remonstrance was high and menacing; but no minister of the crown durst, at this juncture, take upon himself the responsibility of a judicial prosecution against them.

Not to be diverted or intimidated from his purpose, lord Chatham made, after a short interval, a motion for an address to the king to dissolve the parliament. He stated "the public discontents in England, Ireland, and America; affirmed, that the people had no confidence in the present house of commons, who had be-

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trayed their trust; and shewed, from the situation of public affairs, the great necessity of having a parliament in whom the people can place a proper confidence. Instead," he said, "of depriving a county of its representative, one or more members ought to be added to the representation of the counties, in order to operate as a balance against the weight of the several corrupt and venal boroughs *." All arguments were in vain—scarcely indeed was the appearance of decorum preserved. The court lords called for the question! the question! and a rude negative was put upon the motion. He had the satisfaction, nevertheless, to perceive his conduct during the whole of this interesting session highly acceptable to the nation; and on

* This was a very favorite idea with lord Chatham, and repeatedly suggested by him on various occasions, both public and private. In a letter to lord Temple, dated April 17, 1771, he says, "Allow a speculator in a great chair to add, that a plan for more equal representation, by additional knights of the shire, seems highly reasonable, and to shorten the duration of parliaments not less so. If your lordship should approve, could lord Lyttelton's caution be brought to taste those ideas, we should take possession of strong ground, let who will decline to follow us." To this plan of reform, however, serious objections may be made; and lord Chatham himself, with the candor and ingenuousness of a great mind, speaks of it, on another occasion, "as a plan humbly submitted to the public wisdom, to be deliberately weighed, accurately examined, and maturely digested."

the first of June, a committee, delegated by the city of London, waited on his lordship with a vote of thanks for the zeal he had shown in support of those invaluable and sacred privileges, the right of election and the right of petition, as well as for the wishes expressed by him, that parliaments may be restored to their original purity, by shortening their duration, and introducing a more full and equal representation." But no efforts could, after all, reinstate this nobleman in the possession of his former envied and splendid height of popular affection and favor. 1770.

In the former part of the session, lord North, as one of the first acts of his administration, had moved the repeal of the obnoxious port-duties of 1767, EXCEPTING the DUTY on TEA; which was intentionally omitted, on the avowed principle of asserting the supremacy of Great Britain; and when strongly urged by the members in opposition, both of the Rockingham and Grenville parties, not to preserve the contention when he relinquished the revenue, his language was the reverse of conciliatory. "Has the repeal of the stamp act," said this minister, "taught the Americans obedience? Has our lenity inspired them with moderation? Can it be proper, while they deny our legal power to tax them, to acquiesce in the argument of illegality, and, by the repeal of the whole law, to give up that

American port-duties repealed, tea excepted.

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power? No: the properest time to exert our right of taxation, is when the right is refused. To temporize is to yield; and the authority of the mother country, if it is now unsupported, will in reality be relinquished for ever: a total repeal cannot be thought of till America is PROSTRATE at our FEET."

Such were the political axioms which (posterity will be amazed to learn) under the ill-fated reign of George III. passed for wisdom. Even concession was combined with insolence; and a feeble effort to regain the affections of America, was converted, by an unaccountable infatuation, into an unpardonable insult to her feelings. In vain was it urged, that the repeal of the stamp act *had*, in fact, produced all the happy and beneficial effects which had been previously expected or predicted by its advocates; that lenity on the part of Britain had produced moderation on that of America; and that the subsequent discontents or violences had arisen from subsequent provocations. "If the assertion of an abstract claim of right," said the members in opposition, "be of such mighty importance, a positive law already exists declaratory of the right; a law in which America silently acquiesces; but an attempt in any mode to carry this abstract right into practice, will be productive of nothing but civil confusion and interminable discord."

Governor Pownall, who moved to include the duty on tea as an amendment to the original motion, acknowledged, that even the total repeal of the duties in question, though it might be expected to do much, would not restore satisfaction to America. "If," said he, "it be asked whether it will remove the apprehensions excited by your resolutions and address of the last year, for bringing to trial in England persons accused of treason in America? I answer, no. If it be asked, if this commercial concession would quiet the minds of the Americans as to the political doubts and fears which have struck them to the heart, throughout the continent? I answer, no. So long as they are left in doubt whether the habeas corpus act, whether the bill of rights, whether the common law, as now existing in England, have any operation and effect in America, they cannot be satisfied. At this hour they know not whether the civil constitutions be not suspended and superseded by the establishment of a military force. The Americans think that they have, in return to all their applications, experienced a temper and disposition that is unfriendly; that the enjoyment and exercise of the common rights of freemen have been refused to them. Never with these views will they solicit the favor of this house; never more will they wish to bring before parliament the grievances

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under which they conceive themselves to labor. Deeply as they feel, they suffer and endure with a determined and alarming silence; for their liberty they are under no apprehensions. It was first planted under the auspicious genius of the constitution: it has grown up into a verdant and flourishing tree; and should any severe strokes be aimed at the branches, and fate reduce it to the bare stock, it would only take deeper root, and spring out again more hardy and durable than before. They trust to Providence, and wait with firmness and fortitude the issue." But all arguments and considerations were lost on the phalanx of courtiers and king's friends, who were nevertheless compelled on this occasion to exert their full strength; the ministerial majority, on the division in a full house of 350 members, being only 62.

Mr. G. Grenville, who made after his manner a verbose and pompous speech in this debate, took upon him to affirm that he himself had pursued the best of all possible systems respecting America, viz. that of compelling submission to the laws by force: the minister who succeeded him had adopted the next best, which was to relinquish absolutely the idea of coercion; but the present plan of modified concession and repeal is regarded as altogether futile, and productive of no good consequence; and, as the amendment

did not accord with his sentiments of dignity or propriety, he should wholly decline voting upon the present question. BOOK XV. 1770.

Nearly at this period the same ex-minister introduced into the house of commons his famous bill for regulating the proceedings of the house on controverted elections, commonly known under the appellation of the GRENVILLE ACT. This was laudably designed by the mover, and as laudably patronized by the house, as a supposed radical remedy for a great and acknowledged evil; the negligence and partiality of the house in their elective decisions, being notoriously palpable and disgraceful. But, agreeably to the general character of the framer, this act displays much more of integrity than of penetration or ability. Conformably to the provisions of it, a jury of thirteen persons are elected by ballot, in a house consisting of not less than one hundred members, to whom the petition is referred; and till such jury is chosen, the house is restrained from proceeding on any business. But the remedy has in fact proved more intolerable than the evil. The rights of election, and the qualifications of the electors, are in different places so varied, intricate, and complex, and so uncertain is the legal issue of the generality of election contests, that no sooner was the chance of a fair and impartial hearing obtained, Grenville act passed.

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than the multitude of petitions presented to the house, impeded in a most perplexing degree the course of public business. The trials themselves were frequently protracted to a length so insufferably tedious, that it was justly considered as a very heavy penalty to be chosen upon an election committee, and it was usually found very difficult to make a house on the day appointed for the ballot; and session after session has elapsed before a considerable proportion of the petitions could even come to a hearing; and, by a mockery of justice, after an extravagant expence has been incurred in fees to counsel, indemnifications to witnesses, and gratuities to agents, a man is perhaps declared duly elected to a seat in parliament when parliament itself may be approaching to its dissolution. A remedy of a totally different nature therefore is evidently wanting, as a preparatory step to which, the qualifications of the different descriptions of electors throughout the kingdom ought to be simplified and clearly defined; and were the house, upon the election of a new parliament, previous to its entering upon business, to divide itself into different committees to determine upon the merits of the petitions presented, the whole process of investigation might doubtless be completed within the compass of a very few weeks.

The *king's friends*, Mr. Rigby, sir Gilbert

Elliot, Mr. Jenkinson, Mr. Welbore Ellis, Mr. Dyson, &c. &c. took a very warm and decided part in opposition to this bill; as to every other measure of public virtue, or general improvement, which has originated in either house of parliament during the long and gloomy course of the present reign. The bill in question was originally limited to a short term of years; but in the session of 1774 it was, in spite of the utmost efforts of the court phalanx, made perpetual. The concluding part of the speech of governor Johnston on this occasion, if the anticipation may be pardoned, is well worthy of being historically recorded: "It is clear," said he, "that this bill diminishes the power of the minister in all controverted elections. Unless, therefore, we can suppose he shall prefer the public good to his own interest, which I will never suppose of any minister, he will endeavour to get rid of the bill by every insidious art. And with all due deference to the memory of Mr. Grenville, I believe if he had been minister that he would not have proposed it: nay, I believe that he would not have permitted it to pass. A happy coincidence of circumstances forced it upon the house. A strange coalition of parties now favors its final confirmation before men dare forget their former declarations,

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and before the golden bridge is completely formed to pass them through the ivory gate."

1770. Inflexibility of the Irish parliament on the subject of money bills.

Although the parliament of Ireland, in the course of the present year, had gratified the wishes of the court, by consenting to raise the establishment of troops in that country from twelve to fifteen thousand men, an incident occurred in the course of the session, which served to display, in a striking point of view, their rising spirit of independency. By the famous law passed in the reign of Henry VII. under the administration of sir Edward Poyning, and thence called Poyning's law, it was enacted, "that the lord lieutenant and council should, under the great seal of Ireland, certify to the king, and English privy council, the laws proposed to be passed in each succeeding parliament, in order to have the sanction of the great seal of England, previous to their being submitted to the Irish parliament for its assent or dissent." The rigor of this law, which had been ever regarded as the chief bond of the constitutional dependence of that kingdom, was in modern times mitigated, by the practice of introducing *heads of a bill* into the Irish parliament, in order, when the approval of that assembly was obtained, to be transmitted to England under the usual forms.

At this period a money bill, originating in the

usual and established mode, being returned from England, under the seal of Great Britain, was rejected by the Irish house of commons, under the plea that it did not originate in that house. In justification of this proceeding they maintained, that Poyning's law, and the other subsequent statutes by which that law was modified and enforced, made no specific mention of money bills, which might therefore by just inference be supposed excepted; that, if the origination of money bills were not in reality the sole right of the commons, this must at least be admitted to be the better and more constitutional mode; and that, in rejecting this bill, they exercised an indubitable right, even supposing the right of the council to originate the bill to be equally indisputable. The lord lieutenant, lord Townshend, though he thought proper to allow the Irish parliament to grant their own money in their own way, protested against the right claimed by the house of commons, and endeavoured, but in vain, to enter his protest upon their journals. The house would not permit this violation of their privileges; but the lords were found less inflexible, and, after much opposition and debate, his excellency's protest was solemnly recorded on the journals of the peerage. The parliament was immediately prorogued in anger, and with much inconvenience to the public;

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and these proceedings becoming the subject of serious discussion in England, it was moved in the British house of commons, that the instructions in consequence of which the parliament of Ireland had been prorogued, should be laid before the house: but this was negatived by a great majority.

Petition and remonstrance of the city of London to the king.

Soon after the rising of parliament, a third address was presented to the king by the city of London, in which they lament the heavy displeasure under which they had fallen with his majesty, in consequence of the sentiments expressed in their late petition and remonstrance, to which they nevertheless inform his majesty they still adhered; and they again renewed their prayer for the dissolution of the present parliament. His majesty in answer declared, "that he should have been wanting to the public, as well as to himself, had he not expressed his dissatisfaction at their late address; and that he should ill deserve to be considered as the father of his people, could he suffer himself to be prevailed upon to make such an use of his prerogative, as was inconsistent with the interest and dangerous to the constitution of the kingdom."

The lord mayor, Beckford, who presented the petition, a man of an undaunted spirit and much democratic pride, demanded leave to ANSWER *the* KING. In the momentary confusion which

this demand occasioned, permission was granted; and, with great presence of mind and fluency of language, he delivered an extempore address to his majesty, concluding in the following words: "Permit me, sire, farther to observe, that whoever has already dared, or shall hereafter endeavour, by false insinuations and suggestions, to alienate your majesty's affections from your loyal subjects in general, and from the city of London in particular, is an enemy to your majesty's person and family, a violator of the public peace, and a betrayer of our happy constitution, as it was established at the GLORIOUS and NECESSARY REVOLUTION." The KING, who was accused of the incredible indecorum of *laughing* at the former address, now reddened with anger and astonishment, and remained in profound silence; but when the lord mayor, a short time afterwards, went to St. James's with the customary congratulation on the birth of a princess, he was informed, "that as his lordship had thought fit to speak to his majesty after his answer to the late remonstrance, as it was unusual, his majesty desired that nothing of the kind might happen for the future." BOOK XV. 1770.

For more than two years the Middlesex election, and the proceedings consequent upon it, had so engrossed the attention of the ministry, the parliament, and the nation, as almost to ex-

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clude the consideration of other subjects in themselves far more important and interesting. At this period, however, an affair of great political moment forced itself upon the public notice; and the nation at large, wearied with the tedious and fruitless contest with the court, hopeless of redress, and impatient for some change of scene in the political drama, was now fully prepared to fix its regard upon any new object which should happen to present itself.

Transactions relative to Falkland islands.

A short time previous to the close of the session, lord Chatham had declared, "that a great blow either was or would soon be struck in some part of the world." The high idea universally entertained of this nobleman's political information and sagacity, necessarily kept the public mind in a state of anxious suspense; but the mystery was quickly developed, and it was in a few weeks publicly ascertained, that a squadron of Spanish ships from Buenos Ayres had seized upon the Malouine or Falkland Islands, situated in the Magellanic Ocean, and of which the English had been for some years the actual occupants or possessors. These islands, consisting of two larger and many of smaller size, divided by very deep intersections of water, are bleak, barren, and marshy; exposed, even during the summer months, to storms and tempests almost perpetual; and no regular settlement, in the space of two hundred years which

had elapsed since the first discovery of them, had been attempted by any European nation. BOOK XV. 1770.

It was first remarked by lord Anson, on his return from his famous voyage round the globe, that the possession of a port to the southward of the Brazils, would be of signal service to future navigators for refitting their ships, and providing them with necessaries previous to their passage through the Straits of Magellan, or the doubling Cape Horn: and Falkland Islands were particularly specified by him as well adapted to the purpose.

On his lordship's subsequent advancement to the head of the admiralty, it was in serious contemplation to form a settlement on the spot. Strong remonstrances against this design being however made by the court of Madrid, with whom the court of London was at that time very solicitous to maintain a good understanding, the project was wisely relinquished. But in the year 1764, under the ill-fated auspices of Mr. Grenville, "every capital measure of whose administration," as lord Chatham justly observed, "was radically wrong," lord Egmont being then at the head of the admiralty, commodore Byron was sent out to take possession of these islands; and a settlement was made, and a small fort erected, in the vicinity of a commodious harbor, to which the name of Port Egmont was given. It happened that about the same time a settlement had also been made,

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and a fortress erected, by the celebrated French navigator, M. de Bougainville, on another of these islands to the eastward of the English settlement, under the name of St. Louis; but, in consequence of the representations of the court of Madrid to the court of Versailles, this was in a short time, by a generous policy, freely yielded to the Spaniards, who gave it the name of Port Solidad. It was well known that Brasil, Surinam, and Cayenne, countries long possessed by Portugal, Holland, and France, excepted, Spain pretended to the absolute sovereignty of the whole southern continent of America, with the various islands on the coasts and seas by which it is surrounded. The new settlement of the English, therefore, excited at the court of Madrid the highest alarm and uneasiness, not merely as an encroachment on the right of dominion, but as it was evident that the principal inducement of England to form this settlement, was the facility which it would give, in case of a future war between the two powers, to an attack upon the Spanish territories bordering on the great South Sea. Urgent remonstrances therefore were made to the court of London against an encroachment, considered by the court of Madrid as both unjust and invidious, but without effect. Such however was, at that period, the dread of the power of England, and so recent the recollection of the losses sus-

tained in the former war, that Spain, jealous in the extreme, as she had ever shown herself, respecting her rights of sovereignty in America, was reduced to the humiliating necessity of submitting to an aggression which she wanted the force to repel. But the subsequent domestic distractions which prevailed in England, and which to the nations on the continent, appeared, as through the medium of a magnifying mirror, the threatening aspect of affairs in the English colonies, and the loss of reputation sustained by England from her tame acquiescence in the cession of Corsica to France, emboldened the court of Spain to revive her pretensions to the islands in question, and to take vigorous measures to enforce her rights. To this she was strongly, though secretly incited, by the duc de Choiseul, prime minister of France, a man of talents, and whose ambition was at least equal to his ability; whose ruling passion was the depression of the power of England, and who conceived this to be a favorable opportunity for effecting his purpose. BOOK XV. 1770.

Towards the close of the year 1769, captain Hunt, of the Tamar frigate, cruising off the islands, fell in with a Spanish schooner belonging to Port Solidad, taking an actual survey of them, and, agreeably to what he conceived to be his duty, not only charged the commander of the schooner to depart from that coast, as it was the property

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of his Britannic majesty, but threatened to fire into him if he did not desist from prosecuting his commission. The schooner obeyed; but soon returned with an officer on board, bringing with him a letter from the governor of Buenos Ayres, addressed to captain Hunt, in which the governor in his turn warned the captain to depart from a coast belonging to the king of Spain; but, on the supposition that captain Hunt's touching at these islands was merely accidental, the governor expressed his earnest desire to shew him all possible civilities. Captain Hunt replied with warmth, that these islands were the property of the crown of Great Britain, both by discovery and settlement; and the governor maintaining with equal warmth the rights of the crown of Spain, an altercation of considerable length ensued; but in the result, captain Hunt was charged with a direct violation of treaties by the governor, who declared it to be his duty to transmit the particulars of this transaction to the court of Spain. Captain Hunt, perceiving that this business was of a greater importance than he had at first apprehended, and not choosing to take further steps without proper authority, set sail for England, where he arrived June 1770, two small sloops only remaining at Port Egmont.

Soon after his departure, a very considerable armament, consisting of five ships of war, with

their attendant vessels, furnished with all the apparatus necessary for a regular siege, appeared before Port Egmont. Captain Farmer, the commandant, knowing the place to be utterly untenable, submitted, after a few shots were fired, to a capitulation; by which he and his whole garrison were allowed to evacuate the place, carrying with them such of their stores as they were able. The commander of the Spanish squadron, not caring, however, that very early intelligence of this outrage should be carried to England, enjoined captain Farmer not to sail without his permission; and in order to ensure compliance, he caused the rudder of captain Farmer's ship, the Favorite, to be taken off and kept on shore, and it was not restored for the space of twenty days; an insult to the British flag not easily paralleled. The Favorite was at length permitted to depart, and, after a voyage of seventy days, arrived safe at Portsmouth. BOOK XV. 1770.

No sooner were the particulars of these extraordinary proceedings known in England, than the whole nation appeared inflamed with resentment, and eager to avenge the national honor, thus grossly and daringly violated. It was said with great confidence and plausibility, that there was in the present instance no room for negotiation; for, whatever difference of opinion might exist respecting the opposite abstract claims of

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the two crowns, an attack upon an English fort and garrison by an armed force, was equivalent to a declaration of war. A superior force ought therefore to be sent without delay, in order to retake the islands; and then it might be proper to enter into a negotiation, with a view to determine what reparation was due from Spain for so unprovoked and unprecedented an outrage; after which it would be time enough to enter upon the discussion of the claim of right; but the spirit of lord Chatham no longer actuated the British councils; and the language of menace and haughtiness was in this wretched and unfortunate reign reserved for those national colonies which it had been the policy of that minister to attach to Great Britain by indissoluble bonds of affection. A negotiation between the two courts immediately commenced; but the ministers of Great Britain insisting upon the restitution of the island on the part of Spain, as a previous step to the determination of the question of right, there was little appearance that an amicable accommodation could take place.

At the meeting of parliament in the ensuing month of November, 1770, the king acquainted the two houses, in his speech from the throne, that an insult had been lately offered to the honor of this nation, by an act of "THE GOVERNOR OF BUENOS AYRES, in seizing one of his majesty's

possessions; and that, should satisfaction be refused by the court of Spain for this injury, preparations had been and were still making to do ourselves justice." BOOK XVI 1770.

Addresses were presented from both houses on this occasion, in a strain calculated to convince the court of Spain, that Englishmen, however at variance amongst themselves, are ever united, as in a common cause, in opposition to a common and foreign enemy. The conduct of the ministry was nevertheless the subject of bitter animadversion. It was remarked, "that intelligence of the hostile intentions of Spain had been received in June last, but that no measures had been taken of timely prevention or vigorous redress—no preparations made either of security or attack—both army and navy had been neglected, and now, when danger is at our gates, our ministers tremble at its approach. It was asked, whether the governor of Buenos Ayres was a pirate or a buccaneer, that *his* name should be brought forward as the author of the injury in question? If the king of Spain did not disavow the act and punish the actor, he was himself the person who committed the outrage; and it was beneath the dignity of the British crown to make the least mention of the name of the governor, who had done no more than his duty required. The past transactions, and the general tenor of the policy

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adopted throughout the present reign, underwent a most severe review. Had the government possessed the confidence of the people, and the harmony which ought ever to subsist between them not been interrupted and broken by the arbitrary and oppressive conduct of the court, Spain, it was boldly affirmed, would not have dared to risque the event of a war: but in fact Spain knew that no real risque was incurred; for the pusillanimous acquiescence of the English government in the affair of Corsica plainly shewed, that the ministers of the crown would not scruple to sacrifice both the honor and interest of the kingdom, rather than venture upon a WAR, which would probably heighten their unpopularity, and to the management of which they no doubt felt their courage and ability very incompetent."

The ministers, in order to obviate the force of these imputations, now exerted themselves to the utmost in the equipment of a formidable fleet; and the court of Madrid was at last convinced, that, unless some concessions were made, an open rupture must ensue. The king of France, who dreaded nothing so much as a renewal of hostilities with England, being apprized of the secret intrigues of the duc de Choiseul at the Spanish court, and highly dissatisfied also with the countenance given by the duke to the popular and patriotic party at home, sent that mi-

nister into exile, and made pressing instances with his Catholic majesty to come to an amicable accommodation with Great Britain. BOOK XV. 1770.

The duc de Choiseul, who governed France with unlimited sway more than ten years, possessed brilliant talents, was frank and amiable in his manners, high-spirited and resentful, yet easily conciliated, generous, and placable. On the other hand, he was utterly deficient in solidity of understanding and judgment. He was of a temper restless, full of projects, bold, chimerical, and extravagant. His ambition was unbounded, his political principles Machiavelian, and his whole system of policy dark, dangerous, and deceitful.

In reply to the demand of disavowal made by England, the marquis de Grimaldi, the Spanish minister, alleged, that as England well knew in what light the court of Madrid had ever viewed the settlement at Port Egmont, it could not be imagined that the king of Spain could really disapprove the conduct of the governor Don Buccarelli. But as it was neither the interest nor inclination of Spain to involve herself in a war with England, his Catholic majesty was willing to make such concessions as should be consistent with his honor and the welfare of his subjects: and that instructions had been transmitted to prince Maserano, his ambassador in London, for this purpose.

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Prince Maserano accordingly acquainted the English secretary of state, lord Weymouth, that the king of Spain had empowered him to disavow any *particular orders* given to M. de Buccarelli, and at the same time to say, that he had acted agreeably to his *general instructions* and oath as governor*; that the islands should be restored; and that it was expected his Britannic majesty would, on his part, disavow captain Hunt's menace, which had prompted the governor to act as he had done.

At this period lord Weymouth resigned the seals of the southern department to lord Rochford, and a convention was soon after concluded on the terms proposed, with no disavowal indeed of the menace of captain Hunt, which had been the cause of so much mischief, but with a secret article or engagement annexed, written or

* These general instructions were however diametrically contrary to the several successive treaties concluded with Spain A. D. 1667, 1670, 1713, 1721, 1729, and 1763, all of which expressly prohibit the commission of any kind of hostilities by sea or land, and refer the determination of differences, if any shall arise, to the respective sovereigns. In the treaty of 1670, it is even stipulated, that no acts of hostility shall be suffered to be commenced either by any individuals, or any subordinate powers holding under those sovereigns, without such violators of the treaty then made being considered as criminals responsible for a crime, and punishable according to the nature of the offence.

verbal, as there is reason to believe, that the islands should be evacuated by England within a certain specific term. Of the mode of conducting the negotiation lord Weymouth was understood to have declared his disapprobation, as injurious to the honor of Great Britain: but the condition of eventual restitution not being known or suspected, it afforded at the time no public ground of objection; and when the evacuation of the islands actually took place three years afterwards, the quarrel being almost forgotten, and the attention of the public otherwise engaged, it passed off with slight and transient animadversion *.

* At what precise time this condition was annexed or subjoined, and indeed whether it were written or verbal, express or implied, is by no means ascertained, though its reality has never been contradicted. In the conduct of the negotiation, the mildness of the English court approached the limits of tameness. They allowed that of Madrid to insist with confidence on her own rights; they advanced no direct counter-claim of sovereignty; they appeared to set no value upon the possession: they even seemed to intimate, that if the point of honor was conceded by the restoration of the island, or rather of the settlement, the claim of right on the part of Britain would not be prosecuted by force. "The disavowal required," says Mr. Harris to M. de Grimaldi, Sept. 25, 1770, "would put it in his majesty's power to suspend those preparations which, under the present circumstances, his honor will not permit him to postpone." About the latter end of February, 1771, the Spanish minister declared to Mr. Harris the expectation

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1770. The earl of Halifax now took the seals of the northern department, in the room of lord Rochford; lord Suffolk succeeding lord Halifax as lord privy seal: and sir Edward Hawke relinquished his seat at the head of the admiralty to the earl of Sandwich. Mr. George Grenville, a name unfortunately memorable, had departed this life November 13, being the first day of the present session; and many of his friends joining the administration, the majorities in both houses, notwithstanding the general unpopularity of the ministers, became very formidable.

1771. On the 22d of January, 1771, the parliament met pursuant to their adjournment; and the declaration of the Spanish ambassador, and the acceptance of lord Rochford, were laid before

of his court, that England should fulfil her engagements, *as they were mutually understood*. And on the 9th of March, prince Maserano received dispatches from Madrid, ordering him to make a positive demand of an immediate cession. After a conference with lord Rochford, messengers were sent off to France and Spain. The answer from the court of Versailles was civil, but expressive of a determination at all events to adhere to the family compact: that of Spain made no scruple to treat the settlement of Port Egmont as a manifest invasion and act of usurpation. It was probably the intention of the British government from the first to relinquish so troublesome and litigious a possession; and if, as was openly asserted in France, they communicated this intention to the adverse

the house. Prince Maserano, after disavowing, in the name of his Catholic majesty, the violence used at Port Egmont, and engaging formally for the restitution of the islands, declared, that his Catholic majesty considers this restitution as not affecting the question concerning the prior right of sovereignty of the islands. The admission of this reservation was heavily censured, as leaving the main question still in dispute, and furnishing Spain with a full justification, should she immediately re-commence hostilities, or at any future period that she may deem more favorable to the establishment of her claim. If the right of Great Britain to the islands in question were just and valid, it was affirmed that no proper or adequate atonement had been made for the aggression committed by Spain: on the other hand, if the

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courts of Madrid and Versailles, they acted wisely and well; and the only subject of regret or blame is, that so invidious and imprudent a settlement should ever have been made. "Without some such idea as this," said governor Pownall, in moving (March 5, 1771) a vote of censure upon ministers, "viz. that as soon as reparation is made to our honor for the violent and hostile manner in which we were driven off that island, and as soon as we were put in a situation to evacuate it of our own motion, it is tacitly understood we are to cede it—without some such idea as this, the whole of the negotiation is inexplicable and unintelligible." Silence in this case on the part of ministers, was very little short of acknowledgment.

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right of Great Britain could not be sustained, the impolicy of our conduct in forming this distant settlement could be equalled only by its injustice. An address of thanks and approbation being moved, a violent debate ensued, and it was not carried without a long and obstinate opposition, 159 members dividing against it in the lower, and nineteen peers entering their protest in the journals of the upper house against it. The last head or article of this protest concludes with the following remarkable words:— "Any counter-claim or assertion whatever of his majesty's right of sovereignty has been studiously avoided from the beginning to the accomplishment of this unhappy transaction, which, after the expence of millions, settles no contest, asserts no right, exacts no reparation, affords no security, but stands as a monument of reproach to the wisdom of the national councils, of dishonor to the essential dignity of his majesty's crown, and of disgrace to the hitherto untainted honor of the British flag."

Upon the whole it must be acknowledged, that Spain, in this transaction, notwithstanding her recent debasement, negotiated on at least equal terms with England: and though precipitately to have involved the nation in a war, for the sake of an object so insignificant and contemptible as the possession of two or three barren

rocks under a stormy sky, would have redounded little to the honor of the present administration, great and heavy censure necessarily falls on the former minister, Mr. Grenville, who, knowing the nature and extent of the claims of Spain, and the eventual probability of a rupture, would rashly risque so great a calamity for what at the best could be considered only as a trivial, remote, and uncertain advantage*. It would not indeed be difficult to turn into ridicule the extravagant pretensions of Spain respecting the empire of Southern America, and the ideas entertained by her of British encroachment and usurpation; but this certainly would be neither politic nor just on the part of Great Britain, who advances pretensions in her own favor at least as chimerical and ridiculous: and if Spain had attempted to form a settlement, or to establish a garrison, in any part of the immense and frozen regions of Hudson's Bay, or the dismal wilds of Labradore,

* In the first edition of the justly-admired pamphlet, styled "Thoughts on Falkland Islands," by Dr. Johnson, that writer sarcastically remarks of Mr. George Grenville, "that he possessed talents not universally afforded to mankind; for had he gotten the Manilla ransom, he could have counted it." And it is elsewhere observed of him, "that his mind was so frittered by the spirit of detail and minuteness, that it was as incapable of comprehending the affairs of an empire as the eye of a beetle of surveying the horizon of the peak of Teneriffe."

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stretching to the arctic pole, the pride of Great Britain would have been no doubt equally alarmed, and her interests supposed equally endangered. Let us then at least act consistently, and respect those rights, whether real or imaginary, in others, which we dare unblushingly to claim for ourselves.

New Shoreham disfranchisement bill.

A remarkable bill was introduced into the house of commons, and passed into an act, in the course of the present session, which, by the unanimous and zealous concurrence of all parties in its support, reflected much honor on the house. This was a bill for disfranchising a very large proportion of the freemen of the borough of New Shoreham, and for extending the right of voting to the contiguous hundreds. It appeared in evidence, before the select committee appointed under the Grenville act to try the merits of the late election for this place, that a great number of the freemen of the borough had formed themselves into a society, under the name of the *Christian Club*. This christian club was in fact no better than a mart of venality. A *junto* was appointed to dispose of the borough to the highest bidder; and after the election was decided, the profits were shared equally amongst the whole. The attorney-general was, in consequence of an address of the house to the king,

ordered to prosecute the persons composing the junto of this club, and who had distinguished themselves as the peculiar agents of infamy on this occasion. The nation, angry and disgusted as they were, could not avoid applauding the spirit and constitutional tendency of this bill, which shewed that the house was neither inattentive nor insensible to the preservation of its own dignity or the national honor. BOOK XV. 1771.

Unfortunately, about the same time an accident occurred, which revived in an alarming degree the indignation and resentment of the people against their representatives. Though nothing can appear more reasonable than that the public at large should be furnished with all such means of information respecting the conduct of their representatives in parliament as may consist with the order and dignity of the house, it had been long a subject of complaint, that the speeches of the members were, in contempt of the resolutions of the house, regularly printed in the public papers; and several members of the house having formally stated that their speeches had been misrepresented in the report, although such misrepresentation, if of any real importance, might doubtless have been easily corrected, a motion was made and carried, not indeed unanimously, that the printers Wheble and Thompson should appear to answer this complaint at the

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bar of the house*. The printers taking no notice of this general summons, a second order was issued, and declared to be final. No more regard being paid to the second order than to the first, a motion was made that Wheble and Thompson should be taken into the custody of the serjeant at arms. The minority, who had objected to the original motion, now strongly urged that the present irritable temper of the public rendered it very improper for the house *to commit itself* by engaging in a doubtful and invidious contest—that the executive authority of the house was restrained within very narrow limits—and that the present moment was by no means favorable to the full exertion, and much less to the extension of it. The majority nevertheless vehemently insisted upon the necessity of supporting the DIGNITY of the house, which, whenever passion in any degree influences the determination, is generally sacrificed by the very means adopted to preserve it.

In consequence of information from the ser-

* "For a public assembly," said the earl of Chatham with his accustomed nobleness of sentiment, "to be afraid of having their deliberations published, is monstrous, and speaks for itself. No mortal can construe such a proceeding to their advantage. The practice of locking the doors is sufficient to open the eyes of the blind. They must see that ALL IS NOT WELL WITHIN."

jeant at arms, that the parties had absconded, a royal proclamation was issued, offering a reward of 50*l.* for apprehending the two printers. In the mean time six other printers were for similar offences ordered to the bar of the house, five of whom, obeying the summons, were reprimanded and discharged; and the remaining delinquent, Miller, was ordered to be taken into custody for contempt of the house. Wheble being apprehended in consequence of the proclamation, and carried before Mr. Wilkes, recently chosen an alderman of London, he was discharged by that magistrate, and bound over to prosecute the person who apprehended him: and in a letter addressed to the earl of Halifax, secretary of state, Mr. Wilkes declared, "that Wheble had been apprehended in violation of the rights of an Englishman, as well as of the chartered privileges of a citizen of London." Thompson also was apprehended, and discharged in the same manner. Miller being taken into custody by the messenger of the house of commons, at his own dwelling, was carried before the lord mayor (Crosby), and the aldermen Wilkes and Oliver, at the Mansion House. The serjeant at arms attending to demand the prisoner, the legality of the warrant was denied, and the printer not only discharged, but the messenger of the house, on pretext of a false

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arrest, ordered to be committed to prison in default of bail, which was at first refused, but at length reluctantly given; and for these proceedings the thanks of the corporation of London were immediately voted them.

The house of commons now found themselves once more reduced, by their own rashness and indiscretion, to a most vexatious perplexity; and the opposition, who, as members of the house, felt for its honor, and participated in the general indignation excited by this unparalleled affront, reminded the ministers, that to them must be imputed the odium under which the house had fallen with the people, who embraced with eagerness every occasion to mock their power and baffle their measures. These reflections admitted of little reply, and the lord mayor and Mr. alderman Oliver, as members of the house, were ordered to attend in their places the next day. The lord mayor pleaded, in his justification, that he was bound by oath to preserve the franchises of the city, that his conduct had been strictly agreeable to law, and he demanded to be heard by counsel. This was refused, on the ground that no counsel could be heard in opposition to the privileges of the house; and the lord mayor's book of minutes being called for, the recognizance of Whittam the messenger was expunged from the record by order of the house; and a re-

solution passed, that to institute any proceeding at law in this case, was contrary to the privileges of the house; and also that it was a breach of privilege to apprehend the messenger of this house executing his warrant, under the pretence of an assault, and that it was a breach of privilege to hold the messenger to bail for such pretended assault. Mr. Oliver was proceeded against in a similar manner; and the two magistrates resolutely refusing to make any concession or apology, it was at length, by a very great majority, voted that they be committed prisoners to the Tower. BOOK XV. 1771. The lord mayor of London committed to the Tower.

On the last day of the attendance of the lord mayor, vast multitudes of people assembling in the vicinity of Westminster-hall, a violent riot took place, and several of the ministerial members were grossly insulted; lord North himself being personally attacked, and with difficulty rescued from the fury of the populace. Mr. Wilkes, having received a summons to attend at the bar of the house, addressed a letter to the speaker, in which he declared that he could attend only in his place as member for the county of Middlesex. After some fruitless repetitions of the order, the house, now eagerly desirous to dismiss the business, ordered a new summons for the 8th of April, and at the same time wisely appointed, with much more attention to their safety

BOOK XV. than their DIGNITY, the 9th as the first day of meeting after the Easter recess.

1771. The lord mayor and Mr. Oliver, soon after their commitment, applied for a writ of *habeas corpus*, which was accordingly issued by the court of common pleas; but, after very long and learned pleadings, these magistrates were remanded by the court, and continued in custody till the end of the session, when their liberation was celebrated by great and universal rejoicings; and from this time forward the proceedings of parliament, and the speeches of the members, have been published, without interruption or molestation. So dangerous is it to bring undefined privileges or prerogatives into contest, where a disposition prevails to dispute all doubtful assumptions of authority.

On the 1st May (1771), the earl of Chatham brought forward the second time his motion for an address to the king, requesting that he would be graciously pleased to dissolve the present parliament. The noble lord, in the course of an animated speech, drew a striking picture of the absurd and disastrous measures which had distinguished the odious policy of the present reign. "At the commencement of it," said his lordship, "nothing was heard on every side but one general burst of acclamation and joy. But how is the prospect darkened!—how are the mighty

fallen! Great Britain, Ireland, and America, are equally dissatisfied, and have equal reason to be dissatisfied, with the ministry. The people," he said, "were justly alarmed at the system of violence practising abroad, and the venal and arbitrary conduct adopted at home. The circumstances of the times made them uncommonly attentive to the operations of parliament. Hence the publication of the parliamentary debates; and where was the injury, if the members acted upon honest principles? For a public assembly to be afraid of having their deliberations published, is monstrous, and speaks for itself. No mortal can construe such a proceeding to their advantage; it is sufficient to open the eyes of the blind. Were not the commons absolute slaves to the man who holds the golden keys of the treasury, they could never have rendered the very name of parliament ridiculous, by carrying on a constant war against Mr. Wilkes. Matters being thus circumstanced, the commons being both odious and contemptible, there remains but one possible remedy for the evil—the commons must, according to the unanimous and earnest wish of the nation, be dissolved: not that I imagine this alone sufficient—no: the influence of the crown is become so enormous, that some stronger bulwark must be erected for the defence of the constitution. The act for establishing septennial

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parliaments must be repealed. Formerly the inconveniences attending short parliaments had great weight with me; but now we are not debating upon a question of convenience. Our all is at stake, our whole constitution is giving way; and therefore, with the most deliberate and solemn conviction, I declare myself a convert to triennial parliaments." The motion was rejected by seventy-two to twenty-three voices.

It did not tend to diminish the public discontents, that a bill was brought into parliament at this period, "for enabling certain persons to enclose and embank part of the river Thames adjoining to Durham-yard," &c. it being considered as an invasion of the property claimed by the city of London in the soil or bed of the river. But whatever might be the motives in which this bill originated, or whatever indemnification the city of London might be entitled to expect as proprietors of the soil, certain it is, that the magnificent and stupendous pile of buildings constructed in virtue of this act, under the appellation of the *Adelphi*, will remain to future times a noble monument of architectural genius and utility, and will be considered as reflecting honor on the reign of George III. when the vast sums expended on subsidies, pensions, and extravagant grants to the crown, are consigned to indignation or oblivion.

In the speech from the throne at the termination of the session (May 8, 1771), his majesty congratulated the parliament on the prospect of a permanent continuance of peace, and earnestly exhorted them to discourage and suppress all groundless suspicions and domestic disturbances, in order that the national happiness might be rendered complete. His majesty declared, "that he had no *other object*, and could have no other interest, than to *reign in the hearts* of a free and happy people." Certainly, if this could, by a high stretch of courtly complaisance, be supposed "the only object" of his majesty's reign, it must at least be allowed that he had hitherto been peculiarly unfortunate in the choice of those means and ministers which he had employed in the attainment of it. BOOK XV. 1771.

Soon after the rising of parliament the city of London presented another petition and remonstrance to the king, in which they complain of this bill as a violation of their chartered rights, of the arbitrary imprisonment of their chief magistrate, of the enormity of erasing a judicial record in order to stop the course of justice; and again urge, on these accounts, as well as upon the grounds formerly stated, the immediate dissolution of the parliament, and the removal from his majesty's person and councils, for ever, of the present wicked and despotic ministers. But this

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petition, however vehement and intemperate in its language, excited neither alarm nor very peculiar attention. The storm had in a great measure spent its rage; and, though the waves still fluctuated with apparent violence, the danger of ministerial shipwreck was past. The king, in answer to this petition, coldly expressed his readiness to redress the real grievances of his subjects; but he was sorry to find that a part of them renewed requests which he had repeatedly refused to comply with.

During the recess of parliament died the earl of Halifax, a nobleman generous, liberal, and accomplished; but as a minister, unpopular and unfortunate. He was one of the few whigs who enjoyed any share of court favor during the present reign; but tory maxims were unhappily predominant, and his ambition induced him to acquiesce and temporize. Nevertheless he filled the high office of lord lieutenant of Ireland, to which he was appointed on the return of the duke of Bedford in 1761, with distinguished ability and applause. The earl of Suffolk succeeded the earl of Halifax as secretary of state for the northern department, and the duke of Grafton accepted the vacant post of lord privy-seal.

The summer and autumnal months rolled away in a sort of sullen languor, and, no circumstances of a nature peculiarly urgent arising, the parlia-

ment was not convened till January 21, 1772, when the session was opened with a speech from the throne, in which his majesty confidently announced the continuance of peace, from the repeated assurances he had received of the amicable disposition of the powers on the continent. It occasioned therefore great surprize, when in a few days a demand was made on the part of administration, for twenty-five thousand seamen to be employed in the service of the current year, under the pretext of the necessity of our maintaining a superior force, both in the East and West Indies, to the French, who had lately sent considerable reinforcements to those distant quarters. It was said in reply, "that this was in fact a war establishment in the midst of peace—that if so great an augmentation was in present circumstances thought necessary, it was impossible to say when it could with propriety be diminished—that the apprehension of an attack from France was futile and ridiculous, and that the naval force of that power employed in actual service was totally inadequate to any hostile attempt—that the present motion would add 500,000*l.* to the public expence—and that, bending under the weight of an enormous public debt, it behoved us to adopt effectual measures for its reduction; instead of which, our peace establishment was every year increasing, and was

Enormous addition to the peace establishment.

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now nearly double what it had been at the accession of King George I." Such however was the inefficacy of these arguments, in opposition to those urged by the ministers of the crown, that the motion was carried without a division.

A curious circumstance happened at this period of the session, serving to mark the temper of the times, so different from that of the present day. Dr. Nowell, principal of St. Mary Hall in Oxford, being appointed to preach before the house of commons, as usual, at St. Margaret's on the 30th of January, the anniversary of the pretended martyrdom of king Charles I. was inadvertently, and according to established etiquette, thanked by the house (scarcely half-a-dozen members of which were present on the occasion) for his sermon, which, on publication, proved to be a most virulent high-church tory declamation in the general Sacheverel strain; and the astonishment and indignation of the house being equally excited, it was carried without a division to expunge the vote of thanks from the journals. In the course of the discussion it was unreservedly asserted, that the doctrine of parliament had ever been, that the war originally waged against the king was legal and proper; and an instance was cited from the journals, from which it appeared that a member of the house had been severely reprimanded for saying that the man who first drew his sword against the king

was as guilty as the person who cut off his head. A subsequent motion was made by Mr. Montagu, for a repeal of the act for the observance of the 30th of January—the service appointed for which he affirmed to be unnecessary, absurd, and even impious, as it attempted to draw a parallel between the sufferings of king Charles and Jesus Christ. The minister shrunk from the task of vindicating this national opprobrium and disgrace: but the courtiers and high churchmen rallying their forces upon this occasion, negatived the motion by a small majority of twenty-eight voices. BOOK XV. 1772.

Princess dowager of Wales's death.

Soon after the meeting of parliament (February 8, 1772) died her royal highness Augusta princess dowager of Wales, in the fifty-third year of her age—a princess possessed of many virtues, personal and relative, and, till the accession of the present sovereign, greatly beloved and esteemed by the English nation: but, in the latter years of her life, it too plainly appeared that the extensive influence she possessed over the mind of the king her son, was exercised in a manner very pernicious to the nation. It might appear harsh to doubt the general rectitude of her *intentions*; but unhappily, bred up in the despotism of German courts, she attained not to just ideas of the spirit of the English constitution, or the genius of the people, with whom her name

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became at length the continual theme of reproach and obloquy.

1772. Royal marriage bill.

A remarkable bill was about this period introduced into parliament, for "making more effectual provision to guard *the descendants of the late king*, GEORGE II. from marrying without the approbation of his majesty, his heirs and successors, first had and obtained." This bill had its origin in the marriage lately contracted by the duke of Cumberland, second brother to the king, with Mrs. Horton, relict of colonel Horton, and daughter of lord Irnham. It had been also long universally believed, that the duke of Gloucester, elder brother to the king, was privately married to the countess of Waldegrave, which marriage the duke now openly avowed. By the provisions of this new and very extraordinary act, the marriages contracted by the royal family from this time are declared null and void, unless the previous approbation of his majesty be obtained; but in case the parties shall have attained the age of twenty-five years, and give notice to the privy-council of their intention of marriage, such marriage shall be held good in law, unless the parliament shall, within the space of twelve months, declare its disapprobation of the same.

This bill excited great dissatisfaction, and it did not pass without considerable difficulty. Two very animated protests against it, signed by

eighteen peers, display with great precision and energy the reasons employed in opposition to the bill. "*The descendants of* GEORGE II." it is affirmed, "may in time comprehend a very numerous description of people; and it would be an intolerable grievance, that the marriages of so many subjects, dispersed amongst the various ranks of civil life, should be subject to the restraints of this act. It seems indecent to the royal family, to suppose that they arrive later at the age of discretion than others, and absurd to allow them to be capable of governing a kingdom at an age when they are not to be trusted in the choice of a wife. It seems," say their lordships, "to be a mere act of power, having neither the force nor obligation of law, and contrary to the inherent rights of human nature, to disable a man from contracting marriage, perhaps for life; and it is pregnant with civil discord and confusion, as having a natural tendency, at some future period, to produce a disputed title to the crown—and all this for ends wholly disproportionate to such extraordinary efforts, as the main purposes of the bill might have been answered without creating that perpetuity of restraint, which they think themselves in conscience bound to oppose." That part of the royal message containing the assertion "that

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the right of approving all marriages in the royal family had ever belonged to the kings of this realm," being inserted in the preamble of the bill, occasioned in the house of commons a violent debate; and a motion was at length made, that those words were neither founded in law nor in the opinion of the judges. In support of them, the courtiers adduced instances of the most arbitrary nature practised in the most arbitrary times; but they were defied to point out any case in which punishment had been inflicted, by sentence of any court of law, for this species of disobedience. It was shewn how extensively this bill must operate in a length of time, when, in the common course of things, so many of the nobility and gentry might be supposed to have acquired some share of the royal blood; that it would in reality be increasing the influence of the crown in the same manner as the court of wards did formerly, as the consent of the king, or his minister, must be demanded for every such man. The words in question were, after long and repeated discussion, confirmed, on a division of 200 to 184 voices. A clause was subsequently moved, that this bill should remain in force during the life of the present king only, and three years after, which was negatived by 150 to 132 votes; and the bill, which was evi-

dently contrary to the unbiassed sentiments of the house, at length passed by a majority of 50 voices. BOOK XV.

In the course of the session a petition was presented to the house of commons, of an interesting nature, and, from the singular importance of its object, demanding peculiar attention. This was a petition signed by some hundreds of the established church, humbly praying to be relieved from the obligation of subscribing the thirty-nine articles of faith as imposed by law. "Your petitioners," say they, "apprehend themselves to have certain rights and privileges which they hold of GOD alone—of this kind is the exercise of their own reason and judgment. They conceive they are also warranted, by those original principles of reformation from popery on which the church of England is constituted, to judge, in searching the scriptures, each man for himself, what may or may not be proved thereby. They find themselves, however, in a great measure precluded the enjoyment of this invaluable privilege, by the laws relative to subscription, whereby your petitioners are required to acknowledge certain articles and confessions of faith and doctrine, drawn up by fallible men, to be all and every one of them agreeable to the said scriptures. Your petitioners therefore pray that they may be relieved from such an impo-

1772. Petition of the clergy to the house of commons.

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sition upon their judgment, and be restored to their undoubted right, as protestants, of interpreting scripture for themselves, without being bound by any human explanations thereof—holy scripture alone being acknowledged certain and sufficient for salvation." And they elsewhere style the imposition of subscription "an encroachment on their rights, both as men and members of a protestant establishment."

By this mode of stating their complaint, a great advantage in argument was unadvisedly given to the numerous and powerful adversaries of this petition, the most able and intelligent of whom urged, with irresistible force, that all governments had a right to form such general plan or system of ecclesiastical polity, or national instruction, as should approve itself most conducive to the general good; that it was necessary that those who were appointed to be the instructors of the people should be bound by some certain principles, from which, so long as they acted in that capacity, they were not at liberty to deviate; that some public symbol must be therefore established, as the standard of their conformity and union. Of toleration in its greatest and most liberal extent, these objectors declared themselves the firm friends and advocates; but they said, "that the petitioners suffered no injustice, as they were under no necessity

of accepting benefices contrary to their conscience; and if scruples arose afterwards, they had it always in their power to relinquish their preferments; that in fact every man was *now*, conformably to the prayer of the petition, at liberty to interpret the scriptures for his own private use, but that his being authorized to do so for others, was a matter of a very different nature. The state had doubtless a right to judge of the qualifications of those who were invested by the governing power of the community with the character, and who received the emoluments annexed to the office, of public teachers of religion. It was also suggested, that this was a matter of deep and dangerous import; and that, as civil dissensions had lately run high, it would be most impolitic to inflame still farther the public mind, by agitating at this crisis any topic of theological disputation."

Another and very different class of opponents of the old tory and high-church stamp, who, conceiving the CHURCH to be in DANGER from this attack, "trembled for the ARK of GOD," seemed to represent it as little less than blasphemy to propose any innovation respecting the thirty-nine articles. They said, "that a compliance with this petition would give a mortal wound to the church of England; that the church and state were so intimately united, that

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one could not perish without the other; that this petition was levelled against the articles of the church, and that the next would be for annulling the liturgy. They called to the recollection of the house the destruction of church and state in the last century, which they charged upon the sectaries, and insinuated that the petitioners were very similar to them in sentiment and complexion; they averred, that there was strong ground to suspect, from the licentiousness of some recent publications, that several amongst them denied the doctrine of the Trinity, and the divinity of our Saviour. They affirmed, that the parliament *could not* grant relief to the petitioners, for it had no power to vacate oaths; that the king could not give his assent to this petition, being himself bound by oath to preserve the established church; and that a compliance with it would be a breach of the treaty of union, which enacted, 'that the church governments both of England and Scotland should for ever continue as they then were.' "

The petition itself was supported with great ability by sir William Meredith, who presented it; and by various other members of the highest merit, talents, and reputation. These gentlemen maintained, "that to grant the relief solicited by the petitioners, far from being detrimental or dangerous to the church, would

redound equally to its honor and its safety: that the articles of the church were well known to have been compiled at a period when the nation had scarcely emerged from the chaos of popery; that they were dark, scholastic, unintelligible, and in many parts contradictory; that the doctrines contained in them had been long ago discarded from the creed of all rational christians, and it was undeniable that very few of the clergy could subscribe them, without such salvos as would scarcely be deemed admissible in any other case. From this habit of religious prevarication the worst consequences might reasonably be expected, and had in fact arisen. Nothing indeed could be more contrary to the end of a religious establishment, than thus to tempt those from the path of moral rectitude who are appointed to teach morality to others: that such an imposition upon conscience was productive of great licentiousness in the church, and, from its tendency to lessen or entirely to destroy christian integrity, had the worst effects upon its members*: that the common pretext for the

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* Lord chancellor King, in conversation with the celebrated professor Whiston, justified the signing of articles not believed, for preferment, saying, "We must not lose our usefulness for scruples." Mr. Whiston expressed his suprise and regret at this, and asked his lordship, "whether the

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imposition of subscription was the preservation of the unity of the Christian faith; but it was notorious, that the greatest possible diversity of sentiment prevailed in the church, and that the articles, in this view, were a mere dead letter; that this diversity of sentiment, on points of speculative theology, was however of no importance to the state, which was only interested in the inculcating of good morals; that a liturgy being appointed by public authority for public use, in which all that is essential to christianity is comprehended, no other bond of union, or standard of faith, is requisite, and that any restraint upon the freedom of inquiry could only generate ignorance or hypocrisy; that an happy opportunity now offered of opening a door for the admission of dissenters into the church, at which many of them would no doubt enter, and

courts at which he himself presided would allow such prevarication or not?" He confessed that they did not allow of it. "Then," said Mr. Whiston, "suppose God ALMIGHTY should be as just in the next world as my lord chief justice in this—where are we then?" To which his lordship made no answer. On Mr. Whiston's relating this story to queen Caroline, that princess said, "Mr. Whiston, no answer was to be made to it." The favor and protection enjoyed by the professor at court, under the wise and liberal administrations of Stanhope and Walpole, are well known, notwithstanding the freedoms which he was accustomed to use in speaking of the established constitution in church and state.

be received into the bosom of the establishment, which would by this means be rendered invulnerable to future attack, *if* such an apprehension could be *seriously* entertained; for surely the most timid and suspicious must deem the church in a state of security, so long as it is supported by the will of the nation, the wisdom of the hierarchy, and the power of the legislature. That the legislature was precluded from granting relief in the present instance by the treaty of union, they shewed to be a futile and ridiculous notion; a supreme controlling power was necessarily inherent in every legislature; no violation of the contract could or would be pretended, in consequence of alterations made in either church by its own express desire, and by which the members of that church alone were affected. Two instances were particularly pointed out, in which the legislature, since the era of the union, had exercised its ecclesiastical supremacy. The first of these was the act against occasional conformity in England; the second, that which destroyed elective patronages in Scotland." Notwithstanding these cogent arguments, the petition was rejected by a vast majority; the numbers being, on the division, 71 for, and 217 against the motion.

Such, it must be acknowledged, is the general

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tenor of this famous petition, that the main force of its arguments seems directed rather against ecclesiastical establishments, as such, than the specific defects of the particular establishment of which the petitioners were members. National establishments of religion, under any modification, have indeed been regarded by philosophical writers of great talents and celebrity, as very injurious to the cause of truth, and ultimately, therefore, of virtue and of happiness, by erecting a barrier in the way of free inquiry, by fixing, as far as they have influence, a standard of public opinion, and by making religion a mere instrument and engine of government. To this it may be satisfactorily answered, that one of the first and most important cares of government respects the manners and morals of the community at large; that to prevent vice is far more beneficial than to punish it. But the morals of the community cannot be preserved in any tolerable degree of purity without the assistance of religion: hence the utility and necessity of an establishment. But as rectitude of morals is the only rational object which the state can have in view in forming an ecclesiastical establishment, it is evident that the introduction of theological and metaphysical polemics is totally foreign to the purpose; and that a clear and simple system, which enforces the obligations of morality

by the great and obvious sanctions of religion, is all that good sense and good policy require *. BOOK XV. 1772.

* As to the objections urged by writers of another class, bewildered in the mazes of speculative theology, against establishments as inconsistent with the allegiance due to CHRIST as supreme head of the church, as infringements upon his authority, and subversive of his prerogative, they are of a nature too wild and eccentric to merit any considerable attention. The proper and direct answer to all arguments of this kind is, that a protestant national establishment is a mere human or civil institution, invested with certain privileges and immunities by the state, for the purpose of inculcating the knowledge of certain moral and religious truths of great and universal importance. Pretensions indeed highly extravagant have been advanced on the part of the clergy, and even of the protestant clergy, of a divine and independent jurisdiction, of uninterrupted apostolical succession, of the power of absolution, of authority over the faith, the lives, and the consciences of men; but these monstrous claims, the gigantic phantoms of intellectual darkness, have vanished as the sun of reason rose. One bold and arrogant champion of the priesthood alone dares in these times still to assert, that the laity are bound to receive with submission the decisions of the clergy, who, in matters of religion, are AUTHORIZED to interpret and declare the SENSE OF SCRIPTURE †. This is language calculated to render the very name of *priest* odious in the ears of every man of sense and liberality, were not the name and honor of the clerical profession happily redeemed by the Watsons, the Paleys, and the Peckards of the age. At the time the petition of the clergy was pending

† Vide bishop Horsley's CHARGE to the Clergy of the diocese of St. David's.

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Most happily adapted to this end is the Christian religion, as exhibited in the beautiful and sublime composition of the liturgy, were certain superfluities and redundancies removed, such as the brightest ornaments of the national church have ardently wished her public ritual "well rid of." As the establishment is intended for the benefit of all, the basis should be as extensive as the nature and object of it will admit; but the articles contain a mass of matter comprehending a multiplicity of obscure and complex propositions, upon the truth and falsehood of which it is not at all reasonable, but on the contrary most absurd, to expect a youth of common capacity and attainments

In parliament, Dr. Jebb, a man of distinguished talents in the university of Cambridge, preached a memorable sermon, at St. Mary's church, upon the subject of subscription, on the words of St. Peter, Acts xv. 10. *Now, therefore, why tempt ye God to put a yoke upon the neck of the disciples which neither our fathers nor we were able to bear?* "When metaphysical refinements, when scholastic differences and distinctions enter into the contexture of national confessions, to contend," says this truly protestant divine, "for the imposition of them for the purpose of avoiding diversities of opinion, and of establishing consent touching true religion, would be to insult the common sense and reason of mankind. In yielding implicit submission to such human formularies, an asylum to the ministry resigns the exercise of his understanding, and the deductions of his better judgment, to an authority not less despotic than the antichristian power of ROME."

at his entrance into the church, to be disqualified to decide. It must be confessed, that the petition in question bore strong marks of crudeness and precipitation. It cannot be doubted but that a very great majority of the most intelligent and respectable of the clergy secretly joined in the prayer of the petition; and if the tone of its allegations had been lowered, if judicious measures had been adopted to conciliate the minds of the superior clergy, if sufficient time had been taken to mature and digest the plan of the application, and a period chosen more favorable to its success, it could scarcely have failed to have been attended with considerable effect; but no prudential precautions being taken to give weight and respectability to this application, it bore, in the view of the public at large, the appearance of a rash and abortive attempt*.

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* In an admirable tract, published subsequently to this application, by Dr. Sturgis, prebendary of Winchester, intituled, "Considerations on the present State of the Church Establishment," the sentiments of the most intelligent and respectable of the English clergy are strikingly depictured. After a masterly vindication of religious establishments from the various charges urged against them, he strongly recommends "a revision, both of the liturgy and articles of the church, and to make such further alterations and amendments in ecclesiastical regulations, as improvements in knowledge or change of circumstances may require. That this should be done not wantonly or unnecessarily," says he, "will be readily admitted; but we surely seem too tender, too much afraid of mov-

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In the course of the debate which took place on this petition, it was repeatedly and unreservedly declared by the most respectable of its opponents, that though they could not consent to alter the terms of admission into the established church, the case was very different with respect to the dissenting clergy, who were entitled to the benefits of the act of toleration, only on the hard and absurd condition of subscribing to the articles of the established church, those relative to ecclesiastical discipline only excepted. It is true, indeed, that, at the time the act of toleration passed, the dissenting clergy being, universally, Calvinists, made no difficulty of subscribing to the doctrinal articles of the church of England; but, in the long succession of years which had elapsed since that period, a great proportion of them had embraced sentiments in theology very different from the system of their forefathers. The act of to-

ing a stone of our church; as if, on being touched, though ever so gently, the whole fabric would fall to pieces. I trust there is in it more strength and solidity. There might be reason for this excessive caution, if the church were now, as it once was, an instrument of party, and the very name of it sufficient to set half the nation in a flame; but now bad consequences are very little to be apprehended, on account of any wise and useful alterations which should be recommended to the legislature by the governors of our church. They would be well received by the moderation and good sense of the better part of the nation; to the inattention and indifference of most

leration, therefore, was no act of toleration to them. Others also had adopted a novel refinement in religion, that it was unlawful to subscribe any human declaration or formulary of faith, however consonant to truth, *at the requisition of the civil magistrate*, as being a tacit admission of his authority to impose it. This notion, however false or fanciful, as effectually precluded them from the benefits of the toleration as if they had actually rejected every article of the national creed. It is no wonder, therefore, that the dissenting ministers eagerly embraced so favorable and inviting an opportunity of obtaining a redress of this great grievance.

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Motion for a further enlargement of the toleration act.

On a motion subsequently made by sir Henry Houghton, and seconded by sir George Savile, member for the county of York, a man eminent in every species of excellence by which human nature can be adorned or dignified, leave was given to bring in a bill for that purpose. The bill

others they would be uninteresting." Since the first appearance of this very able and excellent pamphlet, the case is indeed fatally changed. By the miserable policy of this reign, the CHURCH has been once more converted into a firebrand, which has set the nation in a flame; and ecclesiastical as well as civil reform seems more distant than ever. It is the characteristic of the prevailing system of government, that it precludes not only present improvement, but future prospect. Under its malign and baneful influence, "peace bleeds, and hope expires."

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itself was received by the house with great approbation, and even applause. Many of those who contended most strenuously against granting relief to the clergy, distinguished themselves by the ardor with which they supported a claim thus respectfully submitted to the legislature; and so evidently founded on the clearest principles of equity and justice, that it might have appeared previously difficult to conjecture by what sort of arguments it could possibly be opposed. But there is perhaps no cause, however wretched, no position, however absurd and pernicious, in vindication of which the wit of man is not able to devise something specious and plausible. In the present case it was affirmed by the zealous tories and high-churchmen in the house, that a total exemption from subscription would open the door for such an inundation of enthusiasm, absurdity, and extravagance into the Christian church, as would equally deface and deform it—that when this restraint was removed, Arians, Socinians, Deists, and profane scoffers of all denominations, would not hesitate from the pulpit to undermine, ridicule, and attack the principles of the Christian religion, and perhaps even to deny the divinity of its author. They said, that however respectable the dissenters might be represented by the advocates of this bill, the members of the establishment were certainly not less so; and being far

more numerous, their interests ought to be taken into consideration, as claiming the prior and superior regard of the legislature. This, they said, was an act not so much for the relief as the encouragement of the dissenters, and it had a direct tendency to weaken and destroy the church of England, by the countenance it gave to a republican religion, which had been at all times the sworn foe to monarchy. It was further said, that the act of toleration was intended only for the relief of those who agreed with the church in thirty-five articles and a half, which contained the essentials of her faith; and that those who now apply for relief are a new description of men, not in the contemplation of the framers of the act, and unknown to the law. They asserted, that though, by their refusal to comply with the terms prescribed by the act, they had become obnoxious to punishment, yet that the penal laws existed only *in terrorem*, and were rarely enforced; that the lenity of the executive power made the proposed relief wholly unnecessary; for it was well known that a great majority of the persons for whom this relief was intended, live in ease and security under this connivance. Why then trouble the legislature with their complaints; or expect the government not merely to excuse but to justify their neglects and omissions, and to autho-

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rize their breach of one law by passing another, in order to secure to them impunity, in reward of their perverseness and temerity?

These are persons whose understandings are naturally so obtuse, or, what is still worse, whose reasoning faculties are so darkened by the prevalence of passion and the habitual force of prejudice, that arguments, however demonstrative, make as little impression upon their minds as the beams of the meridian sun on the eternal snows that envelop the pole. In vain was it urged, in opposition to this class of men, on the present occasion, "that it was no longer a speculative question, whether toleration was a principle beneficial or injurious to the community; the experiment had been actually made, and it had been attended with the happiest success. No such hardship, as was now suffered by the persons whom this bill was framed to relieve, was intended by the act of toleration, which required nothing more to the participation of its advantages, than the parties concerned were at the time perfectly willing to comply with. But the fact was, that by a gradual and unforeseen change of circumstances, the operation of the act was weakened and impeded; but it could not be pretended that the principle, which, under the reign of king William, rendered it just and beneficial

to tolerate, had suffered any change. The diversity of theological creeds was of no importance to the state; and the SPIRIT of the ACT of TOLERATION plainly required, that the protection of the state should be extended to all its members, whatever might be their religious opinions, so long as they fulfilled all the duties of good citizens and subjects: that the very idea of toleration *implied* difference of opinion; and to profess to tolerate those only who believe as we believe, is farcical and ridiculous: that the interests of the church itself were advanced by toleration; for experience sufficiently evinced, that religious sects flourished under every species of persecution which stopped short of absolute extermination: that, as to the mischiefs so much deplored and so terrifically described as the consequence of the removal of all restraint, the examples of Ireland and Scotland, where no such condition was annexed to toleration, not to advert to the examples of Holland or Switzerland, shewed how weak and groundless were such terrors: that truth wanted not the sanction of penal laws; but if, nevertheless, truths supposed essential to christianity were attacked, there were laws in existence, to which those who were of opinion that christianity ought to be so defended might have recourse. To all that had been advanced respecting the lenity of the executive government, and the connivance of the

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state, it was enough to reply, that the application now made was not a petition for favor or indulgence, but it was an appeal to the equity and justice of the state: that it could not be refused without violating those inherent and unalienable rights over which no human power had cognizance or jurisdiction: that these rights were too sacred to be held at the caprice of a court, or the discretion of a judge: that the penal laws, though dormant, might be at any time awakened into action by the malice, the avarice, or the revenge of individuals: that were the *lenity* of the executive government such as had been represented, it would doubtless be eager to embrace so favorable an opportunity of establishing by law what it had hitherto been unable to confer otherwise than as a grace: that the lenity of the ruling powers was the very reason for bringing forward this claim, for it would certainly be fruitless and absurd to apply for relief and security when an inimical disposition on the part of government was previously known to exist. If nothing of real persecution is intended, why suspend the sword by a single hair over their heads? As to the charge of republicanism, as alleged against the dissenters, it was declared to be equally futile and unjust. The original opposition to the measures of the court in the reign of Charles I. was highly laudable; and the

unjustifiable lengths to which that opposition was carried, were to be ascribed to the military and despotic violence of comparatively a few individuals. The ancestors of the present race of dissenters had a distinguished share in the restoration of king Charles II.; and the uniform tenor of their conduct since the æra of the Revolution, plainly proved them to be as loyal and obedient to just princes, who made the law the rule of their government, as they had been firm and resolute in their opposition to tyrants, who aimed at the subversion of the constitution; not to mention the absurdity and injustice of punishing any class or description of men now existing for the supposed crimes and errors of a former generation, who had been more than a century in their graves."

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A vast majority of the house, penetrated with the force of these reasonings, and pleased with an occasion to display their attachment to the principles of *whiggism*, from which they had been charged with a disposition to depart, passed the bill with the full concurrence of the minister, almost by acclamation; but when it was carried up to the peers, it met with a very different reception; and the bed-chamber lords, the "king's friends," and the BISHOPS, marshalled in one formidable phalanx, concurred in its rejection; the non-contents on the division being no less

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than 102 against 29 peers who supported the motion.

As this bill had been highly and generally applauded in the house of commons, and was apparently well approved by the nation at large, the ill success which finally attended it could only be ascribed to the predominance of that secret and fatal influence so frequently alluded to, which seemed obstinately bent to thwart every measure emanating from a just, wise, and beneficent policy. So that on this, as on other occasions, a stranger to the manifold virtues and excellencies of the SOVEREIGN might have been pardoned for *supposing* the throne filled by some sullen and malignant bigot, absolutely ignorant of the first principles of civil and religious liberty, or to whom those principles appeared odious and detestable.

In the royal speech at the close of the session, which terminated June 9, 1772, his majesty, in the customary strain, exhorted the members of both houses to cultivate and improve a spirit of harmony and *confidence* amongst all ranks of men, and to make it their constant care to inculcate a cheerful acquiescence to just authority. This is no doubt an highly useful and important lesson; but in order to secure that ready and cheerful acquiescence, arising by just gradations into *confidence* and affection, it is no less necessary that

rulers and governors should shew themselves disposed to exercise their authority with mildness, with equity, with moderation. A truly patriot prince will suffer no private or personal considerations to divert his attention from the great and sole object of government, *the general welfare*; and he will be sensible, that the honor and dignity of government are far more effectually sustained by a magnanimous neglect of unmerited reflections and reproaches, which no might nor greatness in mortality can hope to escape, than by indulging a passionate and incessant solicitude to punish or avenge them.

The extreme unpopularity which had invariably attended the measures of the court under the successive administrations of the present reign, that of lord Rockingham only excepted, at length began to suffer a sensible abatement. The new minister, lord North, notwithstanding some false steps, evidently gained upon the nation, by the suavity of his manners, and his apparent candor and ingenuousness of disposition. The late rupture with Spain, in the view of the public, who were not apprised of the secret article of restitution, had terminated honorably for England. Notwithstanding the great expence attending the armament of the last year, progress had been made in the reduction of the national debt; and the repeal of the oppressive port-duties, though

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with one unfortunate exception, shewed at least some inclination to accommodate the disputes so long subsisting in America. This was further confirmed by the resignation at this period of the earl of Hillsborough, secretary of state for America, who was on various accounts very obnoxious to the colonies, and the subsequent appointment of the earl of Dartmouth, a nobleman of acknowledged probity, of a mild and lenient temper, and who had uniformly opposed in parliament American taxation in every form. Various other changes and promotions also took place during the recess of parliament. The earl of Harcourt succeeded lord Townshend as lord lieutenant of Ireland, and lord Stormont was appointed ambassador at the court of Versailles, in the room of lord Harcourt. Mr. Charles Jenkinson being nominated vice-treasurer of Ireland, his seat at the board of treasury was filled by the honorable Charles James Fox, second son of lord Holland, a young man who had already arrested the attention of the public by the extent of his political knowledge, and the splendor of his parliamentary talents. This appeared the more extraordinary, as it was known that he indulged without reserve in all the fashionable levities and dissipations incident to his age and station. It ought, however, at the same time to be remarked, that he stopped short of those vices which es-

Character of Mr. Fox.

sentially debase and contaminate the moral character, and which are equally incompatible with present esteem or future hope. For though dissipation borders upon the region of moral depravity, and too often terminates in it, there is a real and very important difference between them. A youth of high spirit and elevated rank, endowed with lively sensibilities, and possessing all the advantages which nature and fortune can bestow, may be considered, on his first entrance into life, as placed in a scene of absolute enchantment. Pleasure presents herself in a thousand forms, and in the ardor and effervescence of passion, no other object is perceived for which existence is desirable. At length the fascination dissolves, and it will be indeed fortunate if he is then able to transfer his regards to those superior pursuits which are calculated to give full scope to the intellectual and rational faculties. In the higher walks of life, when the concomitant temptations are surmounted, and advantages improved, are the highest and most accomplished characters formed; and in justice to Mr. Fox it must be acknowledged, that he has greatly redeemed the errors of his youth by the attainments of his maturer years, and by devoting his unrivalled talents almost exclusively to the noble and transcendent purpose of advancing, by the most un-

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wearied and unremitting exertions, the peace, welfare, and happiness of mankind.

On the 26th of November 1772, the session was opened by an interesting speech from the throne, in which "the attention of parliament was particularly called to the present state of the East-India company, and the difficulties in which they appeared to be involved; and his majesty recommended making such provisions for the common benefit and security of all the various interests concerned, as they should find best adapted to the exigencies of the case." Little certainly could it have been imagined, that in the short interval which had elapsed since the acquisition of the *dewannee* of the provinces of Bengal Bahar, and Orissa, by which the company appeared to be elevated to the height of prosperity, they should be reduced to a state of embarrassment and distress verging upon ruin. A general, however transient, review of the transactions of the company, commercial and political, from that memorable period, is necessary to the explanation of this paradox. No sooner had the presidency of Calcutta obtained, in the mode already related, the government of those vast and opulent territories, than a grand project was formed by the president lord Clive, and unanimously approved by the board; agreeably to

India affairs.

which the members of the council, and other civil and military servants of the company, might be enabled to derive vast emoluments, not only without prejudice to their principals, but with great advantage to the company's revenue. This was no other than the establishment of a commercial association, for the purpose of carrying on an *inland traffic* in the important articles of salt, betel-nut, and tobacco. These are articles of general consumption in India, and considered as amongst the absolute necessaries of life; and they had, under the ancient government, been subject to the trifling duty of the fortieth penny. But in order to obtain the sanction of the company to the commercial system now established, a duty of thirty-five, afterwards advanced to fifty per cent. was imposed on salt, which, with fifteen per cent. on betel-nut, and twenty-five per cent. on tobacco, produced an annual additional revenue of 160,000*l.* to the company. This however was regarded by the natives as a trivial grievance, in comparison of the mode in which the traffic was conducted: for the servants of the company acting at once in the twofold capacity of merchants and sovereigns, "in order," as they expressed themselves, "to assist this infant branch of commerce," the council decreed to the association, *i. e.* to themselves and their copartners, "the free and exclusive purchase and sale," or,

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in other words, the complete monopoly of the above articles; and their governing rule of trade appears invariably to have been, to reduce to the lowest extreme of depression the price in the purchase, and to enhance it in the same extravagant proportion in the sale. When this plan was communicated to the directors, they expressed much displeasure that such extortion should be practised under their authority. "We leave," say they to the council, "the *adjustment of the duties* on these commodities to your judgment and consideration; but we think the vast fortunes acquired by the *inland trade* have been obtained by a scene of the most oppressive and tyrannic conduct ever known in any age or country. Were we to allow it, we should consider ourselves as assenting and subscribing to all the mischiefs which Bengal has presented to us for four years past." They approved, therefore, the oppression of the natives *so far* as they themselves were benefited by it, *and no farther*. But these feeble and inconsistent remonstrances were little regarded.

Another device or project of legal plunder was, to declare void at once, to the inexpressible consternation of the zemindars and talookdars, who constitute the great landed interest of the country, all the leases held by them under the government, on very low and beneficial terms,

by a kind of feudal tenure. The pretext for this was, that many of these leases had been collusively obtained; and it was said, that impartiality required that they should be now re-let, without distinction, to the highest bidder. By this enormous act of despotism, many individuals of very elevated situations in life were entirely ruined, immense fortunes were made by the favored few, and the landed revenue of the company, after all, was acknowledged to be very little improved. Notwithstanding, indeed, every expedient that could be put in practice for the accumulation of wealth, the aggregate receipts of the company's treasury alarmingly decreased; the natives, reduced to poverty and almost despair by perpetual exactions, could no longer purchase their favorite articles at the extravagant prices demanded by the monopolists. Those that cultivated the soil, planted in doubt, and reaped in uncertainty. A large proportion of land was left untilled, and an unusual and long-continued drought happening also at this juncture, a general scarcity of provisions, particularly of rice, the great staple of Indian sustenance, unavoidably ensued. It was possible to exist without betel-nut and tobacco, but not without their daily food. The commercial monopolists seized with avidity the opportunity of collecting the rice into stores. As the Gentoos would in no extremity

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violate the precepts of their religion by eating flesh, they had no other alternative than to part with the remains of their property, or die with hunger.

The people being in a short time reduced to a wretched subsistence on unwholesome and unaccustomed roots, a dreadful sickness and mortality ensued. In some districts, the living scarcely sufficed to bury the dead; and pestilence and famine in horrid combination desolated the land. The waters of the Ganges were infected by the multitude of carcasses cast into the river, whilst flights of vultures, and other birds of prey, attracted in astonishing numbers by the putrescent effluvia, completed the shocking and terrific picture*.

* Vide the Official Letters and Reports relative to India, *passim*. Rear-admiral Van Staveren, a Dutch naval officer, in his account of the voyage made by him to Batavia, Bantam, and Bengal, during the years 1768—71, says, "this dreadful calamity was occasioned *partly* by the failure of the rice-harvest the preceding year; but it may *chiefly* be attributed to the monopoly which the English had made of the rice reaped the season before, and which they now held at so high a price, that the natives could not purchase the tenth part of what they wanted. The consequence was, that whole families perished miserably. The atmosphere was contaminated by the unburied bodies: the unusual heat of the season augmented the contagion—the water of the Ganges differing only eight or ten degrees in warmth from the air of the shade."

Striking, indeed, is the contrast between the situation of the country at this period, and that which we are told it enjoyed in the happy times of the mogul government. The kingdom of Bengal, during a long period of peaceful repose, is described as exhibiting the most charming and picturesque scenery—"opening into extensive glades covered with a fine turf, and interspersed with woods filled with a variety of birds of beautiful colors; amongst others, peacocks in abundance, sitting on the vast horizontal branches, displayed their dazzling plumes to the sun; the Ganges winding its mighty waters through the adjacent plains, adding to the prospect inexpressible grandeur; while the artist at his loom, under the immense shade of the banyan tree, softened his labor by the tender strains of music."—In the calamitous circumstances to which this country was now reduced through oppressions, the retrospective view of which takes away all boasting from the name of Englishmen, it will not be deemed wonderful, especially when the great increase of the civil and military establishments of the three provinces is also taken into the account, that the disbursements of the company should far exceed the amount of their revenues.

Impelled by urgent demands and empty coffers, the council hesitated not to write to Mr. Beecher, resident at the *durbar*: "In conjunctures like

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this, necessity compels us to make the conveniences of *dependents*, and even *the letter of engagements*, subservient to the exigencies of the state. It would be a ridiculous and unprecedented maxim to regard any tribute or stipend before the support of our own government. They therefore decree, that the sum of thirty-four lacs of rupees, *at the least*, shall be deducted from the tribute to the emperor, the allowance to the nabob, and other contingencies." The pecuniary embarrassments of the company were exceedingly increased by a war of folly and ambition, in which they were at this period involved on the coast of Coromandel with the famous Hyder Ally, a powerful prince, who, from very low and obscure beginnings, had established a great empire in the southern parts of the continent. The subah, or, as he is more generally styled, the nizam of the Decan, a potentate of high rank in India, and whose territories bordered upon those of the company, had entered into an alliance with Hyder; but the united forces of the Indian princes were defeated with great loss by colonel Smith, near Trinomallee, September 26, 1767; after which the nizam made a separate peace with the English, yielding up to them a considerable territory called the Balagat Carnatic. But the war with Hyder, who had retired to the interior and mountainous parts of

his dominions, was carried on without advantage, and at a ruinous expence. At length, by a series of skilful manœuvres and rapid movements, he contrived to leave the English army several days march in the rear; and, after ravaging the dominions of the nabob of Arcot, the ancient and faithful ally of the company, he suddenly appeared in force at the gates of Madras. The presidency now thought proper to enter into a negotiation for peace, proposing a truce of fifty days for that purpose; but Hyder would grant a cessation of arms for seven days only, in which space articles of accommodation were signed, April 1769, and the conquests on both sides reciprocally restored.

Alarmed at the novel and dangerous situation of affairs in India, which had prodigiously sunk the value of the company's stock in England, the proprietary, previous to the knowledge of this event, had determined to send out a committee of supervision to Bengal, with full authority to examine into and rectify the concerns of every department, and vested with an absolute power of control over all the servants of the company in India. Mr. Vansittart, Mr. Scrafton, and Mr. Ford, were nominated supervisors, and sailed from England, in the Aurora frigate, September 1769; but by some unknown and fatal mischance, this ship never arrived at the place of her destination. When it could no longer be doubted that the

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gentlemen appointed to this high commission were irretrievably lost, it was resolved by the company to nominate new commissioners; and six gentlemen, during the summer recess of the present year 1772, were actually chosen for this purpose. But it being certain that parliament would be convened at an early period, with the express view of entering into a full discussion of the affairs of India, it was not deemed advisable, in the present perilous situation of the company, and their absolute inability to discharge their public engagements, to carry so important a resolve into execution till the sanction of the legislature could be obtained.

A bill had, late in the preceding session, been introduced, under the patronage of the company itself, for the better regulation of the government and commerce of India; and it was without hesitation acknowledged, that the powers actually vested in the company were totally insufficient for the prevention of the grossest abuses and maladministration. It was on the other hand urged, that to pass a bill for the redress of any grievances without some prior proof that the grievance existed, was unparliamentary. It was said, that the grievance might lie too deep to be remedied by the proposed bill; and the partisans of the court did not fail to intimate, that the constitution of the company rendered them wholly unfit for the purpose of exercising any degree of political authority, and that an

accurate investigation would demonstrate the necessity that government should take the whole under its immediate jurisdiction. After the second reading, therefore, the bill was thrown aside: and in the room of it, a select committee, consisting of thirty-one persons, was chosen by ballot, to inquire into the state of the East-India company. The committee continued their sittings during the summer, and it was revived early in the present session. But this appointment not originating with the minister, it was regarded by him with little satisfaction; and as soon as parliament assembled, lord North moved for another committee, under the name of the committee of secrecy, to consist of thirteen persons, to be also chosen by ballot, for taking into consideration the state of the company's affairs, which, his lordship observed, might by this means undergo a full investigation, without any unnecessary exposure of them to the world. It was also said, that these different committees would operate as a check upon each other, and that between them the house would obtain every requisite degree of information upon the whole business. On the other hand it was alleged, that the motion for a secret committee was unconstitutional, and a mode practised only when criminal charges were made;—that the very name of a secret committee was ominous,

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and carried with it the idea of an arbitrary and inquisitorial tribunal;—that by a fair and open investigation in a committee of the whole house, a clear view of the company's affairs would be obtained, and an adequate remedy for all the existing evils provided; but by this narrow partial inquiry of a cabal, they could obtain no information but what the members of it thought fit to communicate, so that they might in effect be degraded into the dupes of a ministerial junto.

Notwithstanding this opposition, the motion of the minister passed without a division; and in a very short time a report was presented by the committee, stating, that, although the company were reduced to great pecuniary distress, they were preparing to send out an expensive commission of supervision to India; and recommending that a bill be brought in to restrain the company for a limited time from sending out such commission of supervisors *. A bill was immediately ordered in for this purpose: and though a petition was presented against it from the company, and counsel heard in their behalf, it passed by a majority of 153 against 28.

* The hasty and headlong proceedings of this committee sufficiently proved their devoted subserviency to the preconcerted purposes of the minister. The report was presented before it was possible for them to have terminated, or scarcely to have commenced, their investigation. In allusion to the striking contrast exhibited in the proceedings of the two com-

From the different examinations which took place at the bar of the house on this occasion, it appeared in evidence, that the annual expenditure of the civil and military establishments in Bengal had risen, since the year 1765, from seven hundred thousand pounds to one million seven hundred thousand pounds: that, including the four hundred thousand pounds paid by the company in consequence of the agreement made in 1767, the whole sum received by government, in customs and duties, &c. from the company, at an average calculation of the last five years, amounted to little less than two millions: that, during the same term, the dividends of the company, amounted not in the aggregate to one million above the rate of six per cent. upon their capital, which was the lowest trading dividend that had been ever made during the most expensive and dangerous war. It appeared, that the mercantile profits of the company, during this period, amounted on the average to four hundred and sixty-four thousand pounds annually, which would have afforded a dividend of twelve and a half per cent. So that this

mittees, Mr. Burke provoked the laughter of the most saturnine members of the house by observing, "that the one might be compared to the fly of a jack whirling *hey-go-mad*—the other to the ponderous lead at the other end, whose motion was scarcely perceptible; and thus the East-India company was *roasted* between them."

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striking and memorable truth was fully established, that the company, so far from deriv-

1772. ing any advantage from the possession of her immense territories, acquired by means the most violent and unjust, was in fact a loser in an exact proportion to the difference between the low dividends actually made, and the high dividends which their mercantile profits, unincumbered by their territorial dominion, would have secured to them. So true is it that honesty is usually found to be the best policy. And notwithstanding the reduction of their dividends, which, elated as they had been by their fancied prosperity, was a source of bitter chagrin to the proprietors, they now found themselves in a state of the most mortifying humiliation, utterly unable to fulfil the engagements they had contracted, their resources exhausted, their expenditures increasing, and their very existence depending upon the will and pleasure of a superior power, of whom they were at the same time compelled to solicit the favors and sustain the injuries.

Previous to the last reading of this bill, a second report was presented by the secret committee, containing a statement of the debts, credits, and effects of the company, both at home and abroad, by which the finances of the company appeared to be dreadfully deranged.

1773. During the recess of parliament, the company, with an empty treasury at home, had ac-

cepted bills from Bengal to a vast amount, and which were now coming round in a course of payment. They were at the same time deeply in debt to the bank for cash borrowed, to the custom-house for duties unpaid, and to the exchequer for the arrear of the annual stipulated payment of four hundred thousand pounds. The directors were therefore under the necessity of entering into a negotiation with government for a loan, which might serve at least as a temporary relief. The minister received their application with a cold and haughty reserve, and referred them to parliament for satisfaction; and thus, without possibility of remedy, they found themselves at the mercy of those by whom they had, as they well knew, long been viewed with hostile and jealous eyes. The restraining bill passed both houses previous to the Christmas adjournment; soon after which a petition was presented from the East-India company, containing a requisition for a loan of one million five hundred thousand pounds for four years, at four per cent. to be repaid by instalments, on condition that the dividends of the company should not exceed six per cent. until the loan was reduced to seven hundred and fifty thousand pounds; after which it should be lawful to divide eight per cent.; and after the whole loan was discharged, the surplus of the company's net profits above the

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said dividend should be appropriated to the payment of the company's bond debt until it was reduced to one million five hundred thousand pounds; and from thence, that the surplus profits should be equally divided between the public and the company. The petitioners farther engaged, that the account of the company's revenues, sales, debts, &c. should be annually laid before parliament; and they humbly requested to be discharged from the payment of the four hundred thousand pounds for the remainder of the five years specified in the act of 1769, and that leave might be given to export TEAS, free of all duty, to America, and to foreign ports.

This petition being read, lord North rose and observed, that the granting relief to the company was a matter of obvious policy and expediency, but in no degree a claim of right or of justice: that, though he waved for the present the particular discussion of the company's claim of exclusive right to its territorial possessions, he was upon high authority satisfied of the existence of a prior right in the state; it being an axiom in politics, that such territorial possessions as the subjects of any state shall acquire by conquest, are virtually the property of the state, and not of those individuals who acquire them. He therefore inferred the justice and legality of the dis-

cretionary interposition of the state in all cases respecting the affairs of the company. He concluded with moving, "That it is the opinion of this house, that the affairs of the East-India company are in such a state as to require parliamentary assistance; that a loan of one million four hundred thousand pounds be granted to the company, provided that due precautions shall be adopted to prevent the company's experiencing the like exigencies in future." BOOK XV. 1773.

After an interval of some days, the minister again moved, "That the company's dividend should be restricted to six per cent. until the repayment of the sum advanced, and that the company be allowed to divide no more than seven per cent. until their bond debt be reduced to one million five hundred thousand pounds." Lastly, he moved, "That it is the opinion of this house, that it will be more beneficial to the public, and to the East-India company, to *let* the territorial acquisitions remain in the possession of the company for a limited time, not to exceed the term of six years, the charter of the company expiring about that period: that no participation of profits shall take place between the public and the company until after the repayment of the one million four hundred thousand pounds advanced to the company, and the reduction of the company's bond debt to one million five hundred

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thousand pounds: that after the payment of the loan, and the specified reduction of the bond debt, *three*-fourths of the net surplus profits of the company above the sum of eight per cent. upon their capital stock, shall be paid into the exchequer for the use of the public; and the remaining one-fourth shall be set apart, either for farther reducing the company's bond debt, or for composing a fund for the discharge of any contingent exigencies the company may labor under. In fine, that, as the company had in their warehouses a stock of teas amounting to above seventeen millions of pounds, which it would be greatly to their advantage to convert into money, they should be allowed to export any quantities of it duty free."

Such were the severe terms annexed by parliament to the relief solicited by the company, and so soon were the fatal effects discernible of the new system of ambition and aggrandizement embraced by these royal *merchant adventurers*. So strong nevertheless at this period was the indignation of the public against the enormous oppressions committed under their name, rather than by their authority, that little compassion or sympathy was excited by the loudness of their exclamations and complaints in this day of their humiliation and distress. Nor was it sufficiently adverted to, that the government, by appropriat-

ing to itself so large a proportion of the profits and revenues of the company, became, in fact, a participant and accomplice in the general system of extortion and oppression. If the acquisitions of the company were obtained by fair and equitable means, what right could the parliament pretend to divest them of the just reward of their policy and valor? If, on the contrary, those acquisitions were the fruit of treachery, bloodshed, and the most enormous rapacity, as the advocates for the measures now depending in parliament but too justly alleged, on what principle, human or divine, could the parliament vindicate its own conduct, in wresting by force from the company, and converting to its own emolument and advantage, the fruits of their injustice? Slender consolation certainly would it afford to the natives of Bengal, to be informed that the people of England, fully apprized of the nefarious means by which their country was impoverished and laid waste, had resolved to avenge them by plundering the plunderers. In fact, a territorial revenue, in any mode, or under any pretext, extorted from India by England, is in the view of ETERNAL JUSTICE AN ACCURSED THING, and the immutable laws of morality will not bend to the haughty boasts of parliamentary omnipotence. The East India company, in the highest degree

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BOOK XV. 1773. alarmed at the resolutions recently passed by the commons, presented a second petition to the house, in which they represent, "That terms and conditions are annexed to the loan which they presumed to request from parliament, materially differing from the propositions on which their requisition was founded;—that the limitation of the company's dividend to seven per cent. after the discharge of the loan, is a hardship exceedingly aggravated by a consideration of the great losses which they as proprietors have sustained, and the expences they have incurred in acquiring and securing the territorial revenues in India;—that the resolution limiting the company to a term not exceeding six years for the possession of their territories in India, appears to be altogether arbitrary, as it may be construed into a conclusive decision against the company respecting those territorial possessions, to which they humbly insist they have an undoubted right;—that they cannot acquiesce in the resolution respecting the surplus net profits of the company, because such disposal of their property appears to them subversive of all their rights and privileges; and rather than submit to such conditions, they desire that any claims against the company which can be supposed to give rise to such restrictions may receive a legal decision, from which, what-

ever may be the event, they will at least have the satisfaction of knowing what they can call their own." BOOK XV. 1773.

The loan bill, however, founded on these resolutions, passed with as little difficulty as the former; and, to complete the new system of Indian government, a third bill was in quick succession introduced by the minister, "for establishing certain regulations for the better management of the affairs of the East-India company, as well in India as in Europe." The principal provisions of this bill were, "That the court of directors should in future be chosen for the term of four years, instead of being elected annually, six members vacating their seats each year;—that the qualification for voting should be raised from five hundred to one thousand pounds capital stock, and the term of previous possession be extended from six months to twelve;—that the jurisdiction of the mayor's court at Calcutta be confined to mercantile causes, and a new supreme court of judicature be established in India, consisting of a chief justice and three puisne judges of the appointment of the crown. Lastly, that a superiority with respect to all political concernments be given to the presidency of Bengal over the other presidencies in India; the present governor and council being confirmed by the bill, certain other persons added thereto, and a negative upon

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the future nomination of the company vested in the crown." Though the prodigious majorities by which the former bills had been carried sufficiently demonstrated the inutility and hopelessness of opposition, petitions were anew presented to the house against the present bill by the East-India company, the city of London, and the proprietors of five hundred pounds stock disfranchised by the new qualification clause, a respectable class of men, amounting to above twelve hundred in number. The company in their petition declare, "That the appointment of officers by parliament or the crown to be vested with the whole civil and military authority of the precidency of Bengal, independent of any choice or power of control in the directors or general courts of the said company, is destructive of their essential rights and interests, and of the most dangerous tendency to the liberty of the subject, from the immense addition of power it must give to the influence of the crown;—that the company have never been made acquainted with any charge of delinquency brought against them in parliament; nor have they been called upon to enter on their defence, although this delinquency is made the ground of the new regulations." The bill nevertheless passed both houses without difficulty, the majority in the house of commons being six to one; and in the house of peers, on

the final division, the numbers were 74 to 17. But a protest framed in terms in the highest degree able, animated, and interesting, was entered upon the journals, signed by the dukes of Portland, Richmond, and Devonshire, the marquis of Rockingham, earl Fitzwilliam, and eight other lords distinguished for their constitutional conduct and principles. BOOK XV. 1773.

The nation were in a great measure reconciled to these harsh and arbitrary measures, by which so dangerous an accession of power, patronage, and influence was gained to the crown, by the inquiries of the select committee, in consequence of which, scenes of unexampled oppression and iniquity were unfolded to the public view.

In the course of the present session, a report was presented to the house by general Burgoyne, chairman of the select committee, containing heavy charges against individuals in very exalted stations, and in which the character and conduct of lord Clive in particular underwent a most severe investigation. The deposition and consequent death of Su-Rajah Dowla, the direful result of a conspiracy between the servants of the company and the subjects of the subah, was represented as an act replete with treachery and cruelty. The inextinguishable thirst of lucre was affirmed to be the real and primary cause of this revolution, which proved the source of in- Inquiry into the conduct of lord Clive.

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finite mischief, and the means corresponded in baseness and turpitude with the end. It appeared in evidence, that Omichund, one of the chief of the conspirators at the court of Moorshedabad, insisted upon five per cent. on all the nabob's treasures, and thirty lacks in money, for his nefarious services; and that this condition was expressly inserted in a formal treaty concluded and signed by the parties previous to the attempt: that another treaty was framed and signed by the several parties, Omichund excepted, in order to deprive him of the reward he had stipulated for his villany: that admiral Watson, a man of strict probity and honor, had absolutely refused to sign the fictitious treaty; but that lord Clive had caused the admiral's name to be affixed without his knowledge to this instrument: that, on the subsequent accomplishment of the revolution, a conference was held at Moorshedabad in presence of the new subah Meer Jaffier, and the real treaty, signed by the subah and the English council, publicly read; on which occasion lord Clive himself declared to the committee, that the resentment and indignation expressed in the countenance of Omichund baffled all description. He said, "This cannot be the treaty; it was a red treaty that I saw." On which his lordship replied, "Yes, Omichund, but this is a white treaty." It was affirmed, that

lord Clive acquired, in consequence of the deposition of Su-Rajah Dowla, vast sums under various pretexts, amounting in English money to no less than two hundred and thirty-four thousand pounds, exclusive of a jaghire or life annuity of thirty thousand pounds charged on the revenue of the districts ceded by Meer Jaffier to the company. That lord Clive declared, "he had never made the least secret of these transactions;—that his lordship held presents so received to be not dishonorable;—that the subah, agreeably to the customs of the East, had in a manner suitable to his rank and dignity rewarded those who had been happily instrumental to the success of so hazardous an enterprise;—adding, that it was well known to every gentleman in Bengal, that the honor of this country, and the interest of the proprietary, were the principles that governed all his actions."

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Colonel Barré, on the debate which arose on reading the report, observed, "that the fortunes amassed by the company's servants were, *no doubt*, all honourably acquired. If the property of the natives was taken without their consent, it was *military plunder*; if otherwise, it was *compensation for services*;—if by a commercial monopoly, it was *inland trade*. The nice and ingenious distinctions made by the noble lord between bribes and presents, exactions and gra-

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tuities, reminded him of a certain Spanish governor of Gibraltar, who, amongst other perquisites of office, had been accustomed to receive an annual donation from the Jews. This people bringing him on one of their anniversaries only a thousand sequins, the governor indignantly declared, "that the Jews should not have audience, as they were sprung from ancestors who crucified our Lord Jesus Christ." The Jews went back disconsolate, but on further consideration, returned with two thousand sequins: on which they were again admitted—"for," said the governor, "poor men! they had no hand in the crucifixion!"

General Burgoyne concluded the report with moving, "1. That all acquisitions made under the influence of a military force, or by treaty with foreign princes, do of right belong to the state: 2. That to appropriate acquisitions so made to the private emolument of persons entrusted with any civil or military powers of the state, is illegal; 3. That very great sums of money and other valuable property have been acquired in Bengal by persons of this description, and appropriated to their private use." These resolutions, amidst the general indignation excited by the report, passed with great unanimity.

The subject being resumed after a short interval, the chairman of the committee moved,

"That Lord Clive, about the time of the deposition of Su-Rajah Dowla, &c. did obtain and possess himself of several sums amounting to two hundred and thirty-four thousand pounds, under the denomination of private donation, and that in so doing the said Robert lord Clive abused the powers with which he was entrusted, to the evil example of the servants of the public."

Lord Clive now entered with great ability into his own vindication, and shewed the urgent political necessity which had induced him to embrace the measures for which he was at this distance of time so unexpectedly and injuriously arraigned. He affirmed, that the power and fortune of the English nation in India had been entirely owing to the boldness and promptitude with which those measures had been conducted; that what he had acquired for himself was inconsiderable in comparison with what he had acquired for the company, whose welfare had ever been his great object; that he had been placed in great and eminent stations, surrounded with temptations; the civil and military powers were united in him, a circumstance which had never happened to any other individual;—that being circumscribed by no restraint but that of his own conscience, he might have accumulated a fortune too great for a subject; but that he

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had then determined to reject all future opportunities of gain, and from the day on which he entered the city of Moorshedabad in triumph, after the victory of Plassey, which was a space of fifteen years, he had not benefited himself a single shilling directly or indirectly, the jaghire only excepted."

Many of the most respectable and impartial members of the house could not on reflection but think it a harsh and invidious thing, that the vengeance of parliament should be directed against a man who had raised so high the reputation of the British arms in India; who had fought the battles of his country with such unparalleled glory and success; and who would to the latest generations be accounted amongst the most illustrious of her heroes. That the system of policy adopted by the company's servants in India was totally indefensible, must be admitted; but it did not appear, from the nature of the regulations which had received the sanction of parliament, that any radical alteration of that system was in contemplation. A great empire had been founded in the East, chiefly through the exertions of the noble lord against whom this charge of delinquency was brought. Is it seriously meant to relinquish this empire? to restore those immense sums to the native princes

and inhabitants, of which they have been plundered? Far from it. The question is merely, whether the state or the company shall enjoy the advantages arising from these vast possessions? Of this contest the result is known. The company, loaded with reproach and obloquy, are censured, condemned, and punished, without so much as being heard in their own defence; but restitution is made, not to the princes of India, but to the people of Great Britain: and almost at the same instant that we are passing bills for the purpose of transferring the riches of Hindostan from the treasury of the company to the royal exchequer, we are called upon to vote impeachments against the man by whose heroic efforts of valor, and plans of policy, those riches were acquired. Is there any trace of dignity, of consistency, or virtue, in this conduct? If we are deliberately determined to keep possession of those dominions, which are universally allowed to have been unjustly acquired, we are parties in the injustice, and those who were the original actors of it are entitled from the justice of the nation (for there is a justice even in injustice) to indemnity at least, if not to gratitude and applause; and all that can with propriety be done, short of restitution and emancipation, is to secure, by wise and equitable regulations, the future happiness and welfare of those distant nations,

BOOK XV. who are become, by an astonishing vicissitude of fortune, subject to our dominion *.

1773. On putting the question, the last clause of the resolution was rejected, although the minister declared in favor of the words of censure, and divided in the minority. An amendment was then moved, "that lord Clive did at the same time render great and meritorious services to this country.;" which was carried by a considerable majority, *and an* END *put to the* INQUIRY. A deep impression was nevertheless made upon the mind of this nobleman by this public accusation, and by the odium and obloquy which from this time attached itself to his character. His faculties, no longer roused to action by the necessity of great and vigorous exertion, languished

* From the connexion of Great Britain with India, sir Robert Walpole was accustomed to say, "he expected nothing but ill." What would this great minister have thought of that passion for aggrandizement which at no very distant period should lead Englishmen to take a part in the elevation or dethronement of the emperors of Hindostan?—of marching armies across the continent to prosecute plans of conquest?—of impoverishing nations, and laying countries waste, for the purpose of converting the importers of calicoes and muslins into nabobs and princes? How indignantly would he have heard, that the oppression and rapacity characteristic of this system should at length, after a serious investigation, be reprobated and condemned by the British government, only to create a pretext for extorting from the oppressors a greater proportion of the plunder!

in retirement and solitude, and gradually preyed upon themselves, till existence became insupportable. Originally educated in strict principles of religion, it is probable that his early associations now recurred with redoubled force; and though acquitted by the highest human jurisdiction, he could not acquit himself, or hope for acquittal at that far more awful tribunal at which he dreaded to appear. After a few years passed in a state of wretchedness and despondency, he at length put a voluntary period to his life; by this melancholy catastrophe demonstrating to mankind the vanity of human pursuits and wishes, and the infinite superiority of conscious virtue to all the gifts of fame and fortune *.

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* Magne Pater Divûm! sævos punire tyrannos
Haud alia ratione velis, cum dira libido
Moverit ingenium ferventi tincta veneno;
Virtutem videant, intabescantque relictâ.

PERSIUS.

Great Father of the Gods! when for our crimes
Thou send'st some heavy judgment on the times;
Some tyrant wretch, the terror of his age,
The type and true vicegerent of thy rage;
Thus punish him—set Virtue in his sight,
With all her charms adorn'd, with all her beauties bright;
But set her distant—make him pale to see
His gains immense outweigh'd by lost felicity.

DRYDEN, satire 10.

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The discussion of the different bills relative to India occupied the attention of parliament the far greater part of the session; but in the course of it an investigation took place, of far inferior importance indeed, yet not devoid of interest to those who think nothing foreign to themselves which bears any relation to humanity. The island of St. Vincent, one of the neutral islands ceded by France to Great Britain by the last treaty of peace, was in great part occupied by a race of yellow Caribbs, accounted the aboriginal possessors of the entire chain of the Great and Lesser Antilles; and it was calculated that, reduced as they were in number, they could still muster, within the narrow limits of St. Vincent's, more than a thousand fighting men.

The French settlers had long lived on terms of perfect peace and amity with this remnant of a once great and powerful nation, who are represented as a quiet and inoffensive people, subsisting chiefly by hunting and fishing, and little versed in the arts of pasturage or agriculture. The French government, agreeably to the generous policy of that nation respecting the savage tribes of America, had treated these Caribbs with uniform respect and distinction, as the original and rightful proprietors of the island, and still remaining a free and independent people.

Soon after the peace many of the French

settlers, choosing to remove to the French islands, disposed of their plantations at St. Vincent's to English adventurers, who soon became considerable in numbers and property. Though no stipulation had been made in favor of the Caribbs by the treaty of Paris, instructions were transmitted by the English court, that they should not be disturbed in the possession of their lands. But the new settlers, quickly perceiving that the most fertile districts of the island were in the hands of the Caribbs, made repeated representations to the government to divest these people of the lands which they actually occupied, and the fertility of which rendered them of no additional or peculiar value to the Caribbs, and to bestow upon them in exchange other lands, in the island or ELSEWHERE, as should be thought expedient. The advantage arising from the sale of these lands to the crown, and the danger resulting to the English settlers from the vicinity of a *lawless banditti*, strongly attached to the French nation, were urged as arguments highly meriting the attention of government. At length orders were issued early in the year 1768, by the board of treasury, for the *survey* and *disposal* of the lands possessed by the Caribbs, for the cultivated parts of which they were to receive a compensation in money, and to have other lands allotted for their

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support in a distant and mountainous part of the island. Five years were allowed for the purpose of effecting this transplantation.

The Caribbs, who from the first had with good reason entertained jealousies and suspicions of the English, were, at the communication of this intelligence, seized with universal consternation; and being persuaded that the slavery or extermination of their whole race was determined upon, they applied to the governor of Martinique, in this dreadful exigency, for advice and protection; but he informed them that he had no power to interpose, and exhorted them to submit to their fate, without attempting a resistance which must prove inevitably fruitless. But this brave people, animated with an ardent love of liberty, and passionately attached to their native woods and savannahs, resolved to assert, and, so far as it should be in their power, to maintain their rights. In reply therefore to the English commissioners, they represented that the whole island was originally their property; that the French nation had, indeed, with their permission and good-will, settled upon a part of it, and their king might doubtless dispose of that part as he pleased; but as they were not his subjects, he could exercise no authority over them, nor grant to any other people the lands which they had

reserved to themselves. In conclusion, they positively refused to part with their lands or to admit of any exchange.

The English commissioners, regardless of these remonstrances, proceeded in their surveys, advancing roads into the heart of the Caribb country. The Caribbs, however irritated and provoked, carefully abstained from any direct acts of violence, farther than the destruction of the new roads, and burning the huts of the surveyors, who abandoned their works, and were permitted to retire in safety. Fresh remonstrances were now made in England against the Caribbs, who were represented as *daring and incorrigible rebels*; and it was proposed to transport them to some desert island or waste on the coast of Africa: but the government still seemed unwilling to proceed to these extremities, and new proposals were made to them for a partition and exchange of lands, which they rejected with unalterable firmness. And being asked, "whether they acknowledged themselves subjects to the king of Great Britain, and would take the oath of allegiance?" they replied without hesitation in the negative; declaring that they were an independent people, subject neither to the king of Great Britain nor the king of France. In consequence of this contumacy, orders were issued for two regiments to

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embark from North America, to join an equal number already at St. Vincent, or the neighbouring islands, which, with the naval force on that station, were destined to reduce the Caribbs to a due submission to government, or, if they continued obstinate, they were to be entirely removed from the island, to such place as should be determined upon.

At this period an inquiry was instituted in the house of commons respecting this business, and the following resolutions were moved by Mr. alderman Trecothick, member for the city of London: 1. "That the expedition against the Caribbs was undertaken without sufficient provocation on the part of these poor people, and at the instigation of persons interested in their destruction. 2. That sending the troops in the unhealthy season of the year, unprovided with camp equipage and necessaries, on that service, is not justifiable by any existing necessity. 3. That an address be presented to his majesty, desiring that his majesty would be pleased to acquaint the house by whose advice a measure was undertaken, equally repugnant to the humanity of his majesty's temper, disgraceful to his arms, and derogatory from the character of the British nation." These motions were severally negatived by great majorities; but the business occupying a consi-

derable share of attention, and the public feelings being awakened, it would probably have been soon revived, had not intelligence arrived that a treaty of peace was at length concluded with the Caribbs, after several fierce encounters, in which the regular troops had severely suffered; the loss in this expedition, including the sick and wounded, amounting to little less than 700 men.

By this treaty the project of transplantation to Africa was wholly abandoned; the Carribs were confirmed in their possessions, and the ancient rights annexed to them, with the exception of certain districts to be surrendered to the commissioners appointed by his Britannic majesty, whom they recognized as rightful sovereign of the island and domain of St. Vincent, acknowledging that the lands held by them are granted through his majesty's clemency. Thus, by a resolute exertion of valor, tempered, as it appears, with no small degree of discretion, did this handful of people ultimately establish their privileges and virtual independency, against the attack of a mighty power which menaced their total ruin and extermination; and the treaty between the Caribbs of St. Vincent and the king of Great Britain, is a monument of historical curiosity, singularly valuable as a striking confirmation of the utility and importance of the magnanimous

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maxim, "in no circumstances to despair of the commonwealth *."

* As this account of the nature and causes of the war in St. Vincent has been charged with harshness and exaggeration, it may be proper to subjoin such authorities as shall leave no ground of doubt, or even of cavil, with respect to the validity and authenticity of the narrative. So generous was the policy with which the French nation, when in possession of the island of St. Vincent, had treated this remnant of the aboriginal inhabitants, that they appeared at the æra of the cession of this neglected territory to adopt the words of a great poet,

> "——As free as nature first made man,
> E'er the base laws of servitude began,
> When wild in woods the noble savage ran."
>
> DRYDEN.

The origin of these bloody commotions may be traced to a memorial presented to the lords of the treasury, April 11, 1767, by William Young, Esq. first commissioner for the sale of lands in the ceded islands. It appears from the memorial, that the commissioners had been prohibited by the government instructions issued in 1764, from making any survey of that part of the island of St. Vincent inhabited by the Caribbs, without special authority for that purpose. The commissioners represent the Caribbean territory as by far the most valuable part of the island; and this being the case, the discovery quickly followed, "that the neighbourhood of those wild and lawless savages was very dangerous," although the perfect harmony in which the Caribbs had lived with the French settlers was a flagrant refutation of this assertion. The commissioners proceed to state it as "a curious speculation, how these people may be best *disposed of*," for, say they in their great humanity, "it seems by no means consistent with his majesty's *clemency*, that the

It must not be omitted, that the bill for the enlargement of the toleration act in the course of

native Caribbs should be EXTIRPATED." This being the case, they content themselves with advising, "that the lands in question may be forthwith surveyed, and that other lands may be allotted for their use—at the same time threatening them with *severe chastisement* if they attempt to oppose the execution of his majesty's commands, which are so essential to *their happiness and comfort*, his majesty being pleased to consider them as his *adopted subjects*." Under these specious words it is evident that an act of public robbery was recommended, to be enforced, if the necessity of the case required, by military execution, *i. e.* by an act of public murder. The matter being at this time probably considered of very trivial importance, fresh instructions were soon issued for making the survey in question. But the general good intention of the board of treasury, at the head of which the duke of Grafton then presided, appears, amongst other regulations, by the positive injunction, "that no steps shall be taken in this business till the Caribbs themselves can be made to comprehend and understand the terms and conditions of this exchange; and the commissioners are ordered to take especial care, that every motion be conducted with the gentlest hand and in the mildest manner." Some months after this, the earl of Shelburne, secretary of state, conveyed in a dispatch to governor Melville of Grenada (January 1768), his majesty's commands, "that every support and assistance in his power should be given to the said commissioners in the execution of their instructions;" the humanity and justice of which, these ignorant and untaught savages could it seems by no arguments be as yet made to *comprehend*. In a letter dated May 1769, addressed to H. Alexander Esq. president of St. Vincent, commissioner Young complains of the opposition given by the Caribbs to his majesty's commands; but as their present instructions prohibit

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the present session again passed the house of commons by a prodigious majority, and was again

violence or compulsion, he declares himself at a loss how to proceed." President Alexander in reply, acknowledged "that the king's troops had marched in hostile array into the country of the Caribbs, but that he had refrained from taking vengeance on those *wretches*, from the apprehension of incurring his majesty's displeasure. He professes his inexpressible regret in quitting that *fine cream* part of the island, and much wishes that his majesty's mildness had been less, and the commissioners' instructions more positive." The management of this business was now transferred to the earl of Hillsborough, recently appointed secretary of state for America, who seemed perfectly to enter into the views and wishes of the worthy president. His lordship, in a letter to governor Fitzmaurice of Grenada, dated August 1769, directs the governor, in case the force within his government be inadequate to the purpose of *reducing the Caribbs* of St. Vincent to *a proper submission* to his majesty, to make a requisition to general Gage, commander in chief of the king's troops in America, for such an additional force as will be necessary for that purpose." This was upon the present plan a very *prudent* step; for in the report of the commissioners to the board of treasury, October 1771, they declare, "that after fully explaining to the Carribs his majesty's *gracious intentions*, they were greatly surprized to find them in a fixed resolution not to part with their lands. The commissioners profess, that it is to their conception impossible that the island can continue divided between a *civilized people* and *savages* who are bound by no tie of law or religion. They pronounce the sale of lands to be no longer the most important object; and by an argument successful beyond all others during the present reign, they assert, that the HONOR of the CROWN is now concerned in the prosecution of this business. They do not *presume to recom-*

rejected by the lords. The debate in the upper house was on this occasion illumined by a ray of

mend any specific measures to their lordships; but remark in general, that the most effectual means of reducing them will be to carry a road through their country, under the protection of a military force, and after allotting them *proper lands*, to sell the remainder, which, they say, will amply repay the expences incurred by this *arrangement*." This representation was seconded by an address from the council and assembly of St. Vincent to his majesty, in which these beneficent and disinterested legislators declare, "that the only alternative left this day to the British crown is, either tamely to acknowledge that it has no right of sovereignty in the lands of the Caribbs, or to consider them as a nest of most dangerous and insolent REBELS. What have we not to fear," say they, "surrounded by lawless savages, in strength and number far superior to ourselves?" And they conclude with observing, "that to suffer such *a separate empire* as these Indians claim, within his majesty's dominions, is not only incompatible with the safety of his subjects, but highly derogatory to the HONOR and DIGNITY of the BRITISH CROWN; that *lenity and humanity* have been tried without success; and that with natures incapable of GRATITUDE or SENTIMENT, the *mild hand of benevolence* loses its effect; and that a continuance of the same *indulgencies* will only serve to increase their insolence." It would be difficult certainly to adduce any instance, in which the language of virtue is with more daring effrontery perverted and prostituted to the purposes of villany. This wretched contention with the Caribbs of St. Vincent seems now however to have grown, in the view of the court of St. James's, into great magnitude; and the *honor* and *dignity* of the crown, thus set at nought by these poor devoted savages, friendless and helpless as they were, it was now resolved to vindicate by the most vigorous

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genius, suddenly emanating from the earl of Chatham. Dr. Drummond, archbishop of York,

and decisive measures. This disposition was nothing mollified by the candid representation of governor Melville, who, repeating in his dispatches to lord Hillsborough the substance of a conference recently held by him with the chiefs of the Caribbs, acknowledges, "that they had behaved themselves at all times very quietly under his government till the present dispute arose; and that they cleared themselves very satisfactorily from the several charges adduced against them as proofs of disaffection to his majesty's government." As to the accusation of obstructing the surveys of the commissioners, they said, "they did not believe it was the king himself, but those that were their enemies, and had interest to be against them, that wanted to sell or buy their lands without their own consent, and which the king would not do, if he knew they were desirous or remaining quiet and good subjects." A great force was now ordered from America for this service, to which the naval commander on the Leeward Islands station was directed to give every assistance in his power. The Caribbs being by anticipation reduced, the earl of Hillsborough's instructions to the governor, in a letter *separate and secret*, were, "that if neither lenity nor force shall effect such a submission as shall consist with the *public safety*, they shall be conveyed in transports to some unfrequented part of the coast of Africa, or to some desert island adjacent thereto"—in that forlorn and destitute situation, no doubt miserably to perish. The war, however, proved in a most extraordinary and unexpected degree fatal and disastrous, as well from the extreme unhealthiness of the climate as the undaunted bravery with which the Caribbs, in a crisis so dreadful, defended their native rights. Lieutenant-general Trapaud, whose regiment was employed at St. Vincent's, on the subsequent discussion of this business in the house of com-

having in a virulent speech stigmatized the dissenting ministers, as men of close ambition, lord

mons, read in evidence to the house, certain advices received by him from the island. His latest letter, dated November 14, 1772, says, "The mortality among the men is very great, owing to the heavy and continual rains. The poor Caribbs have been ill used: they act with great caution, and the woods are so thick, that they knock our men down with the greatest security to themselves, as it is impossible we can see them. We have only been able to penetrate four miles into the country. God knows how this pretty expedition will end. All we hope for is, that the promoters and contrivers of it will be brought to a speedy and severe account." From the general tenor of the evidence, particularly that of governor Gore, who left the Grenades in 1765, it appeared that they were "a quiet and well-disposed people." He said that "he had heard the planters envied them their lands;" and being asked if he could specify any individual, he named one Alexander, afterwards president of the assembly, whose infamous conduct excited the most indignant animadversion from the members who patronized the inquiry. The affectation of lenity and humanity so disgustingly conspicuous in the letters of lord Hillsborough, and the ostentation with which the Caribbs were promised, as the *adopted subjects* of his majesty, *protection* and *favor*, in reward of their cheerful obedience to his majesty's commands, were severely satirized by colonel Barré, who declared, that the miserable dilemma to which these unhappy people were in the issue reduced, reminded him of a European officer, who, marauding in the woods, with some *friendly* Indians for an escort, being surprized by the enemy, expressed his apprehension of being scalped. "To prevent this," said one of his faithful *protectors*, "I will scalp you myself." Such was the kindness and indulgence which the Caribbs of St. Vincent had received from the protecting favor of Britain.

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Second motion for an enlargement of the toleration act.

Chatham said, "this was judging uncharitably, and whoever brought such a charge against them without proof, DEFAMED." Here he paused; but feeling the workings of a generous and indignant enthusiasm, he thus proceeded: "The dissenting ministers are represented as men of *close ambition*—they are so, my lords; and their ambition is to keep close to the college of fishermen, not of cardinals; and to the doctrine of inspired apostles, not to the decrees of interested and aspiring bishops. *They* contend for a spiritual creed and spiritual worship: we have a Calvinistic creed, a popish liturgy, and an Arminian clergy. The reformation has laid open the scriptures to all: let not the bishops shut them again. Laws in support of ecclesiastical power are pleaded, for which it would shock humanity to execute. It is said that religious sects have done great mischief when they were not kept under restraint; but history affords no proof that sects have ever been mischievous, when they were not oppressed and persecuted by the ruling church." In corroboration of the remarks of this illustrious statesman it may be observed, that the English liturgy is well known to be taken chiefly from the catholic mass-book, although this does not at all detract from its great and acknowledged merit as a devotional composition; but its origin is too evidently discernible in the authoritative papal

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BOOK XV. 1773.

for India, the vigor of which was apparent, while experience only could prove its deficiency in wisdom. With respect to America, every thing might be hoped from that disposition to conciliation which was known to characterize the nobleman who now presided over that department. There appeared a fair prospect of permanent peace abroad; and those disturbances which had so long prevailed at home, seemed gradually subsiding into a tranquillity which the nation had rarely, and for very short intervals, known since the commencement of the present reign. There yet remained at the extremity of the western horizon a dark cloud, which, however slightly noticed by the generality of persons, seemed, to the more discerning, to bode a distant but DREADFUL TEMPEST.

END OF THE FIFTH VOLUME.

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form of absolution, the vain and perpetual repetition of the *Gloria Patri*, and the solemn invocations of the TRINITY, "which," says the great reformer Luther, "is a word of strange sound, and of mere human invention. It were better to call Almighty God, GOD than TRINITY." And Calvin still more explicitly declares, "I like not this prayer, 'O holy, blessed, and glorious TRINITY!' it savors of barbarism. The word TRINITY is unintelligible, profane, grounded upon no testimony of God's word—the POPISH GOD, unknown to the prophets and apostles." It is remarkable, that the greatest men whom this country has produced, Locke, Newton, Clarke, &c. have concurred in the rejection of this dogma of the popular and orthodox creed.

BOOK XV. 1773.

An end was at length put to the session, which had now continued more than seven months, by a speech from the throne, in which his majesty expressed to the two houses his high approbation of the zeal, assiduity, and perseverance with which they had applied themselves to the very important business which had been recommended to their attention.

This may be considered as the most brilliant æra of lord North's administration. Supported by vast parliamentary majorities, and the general concurrence of the nation, he had carried into complete effect a plan of government and reform

BOOK XV. 1775.

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